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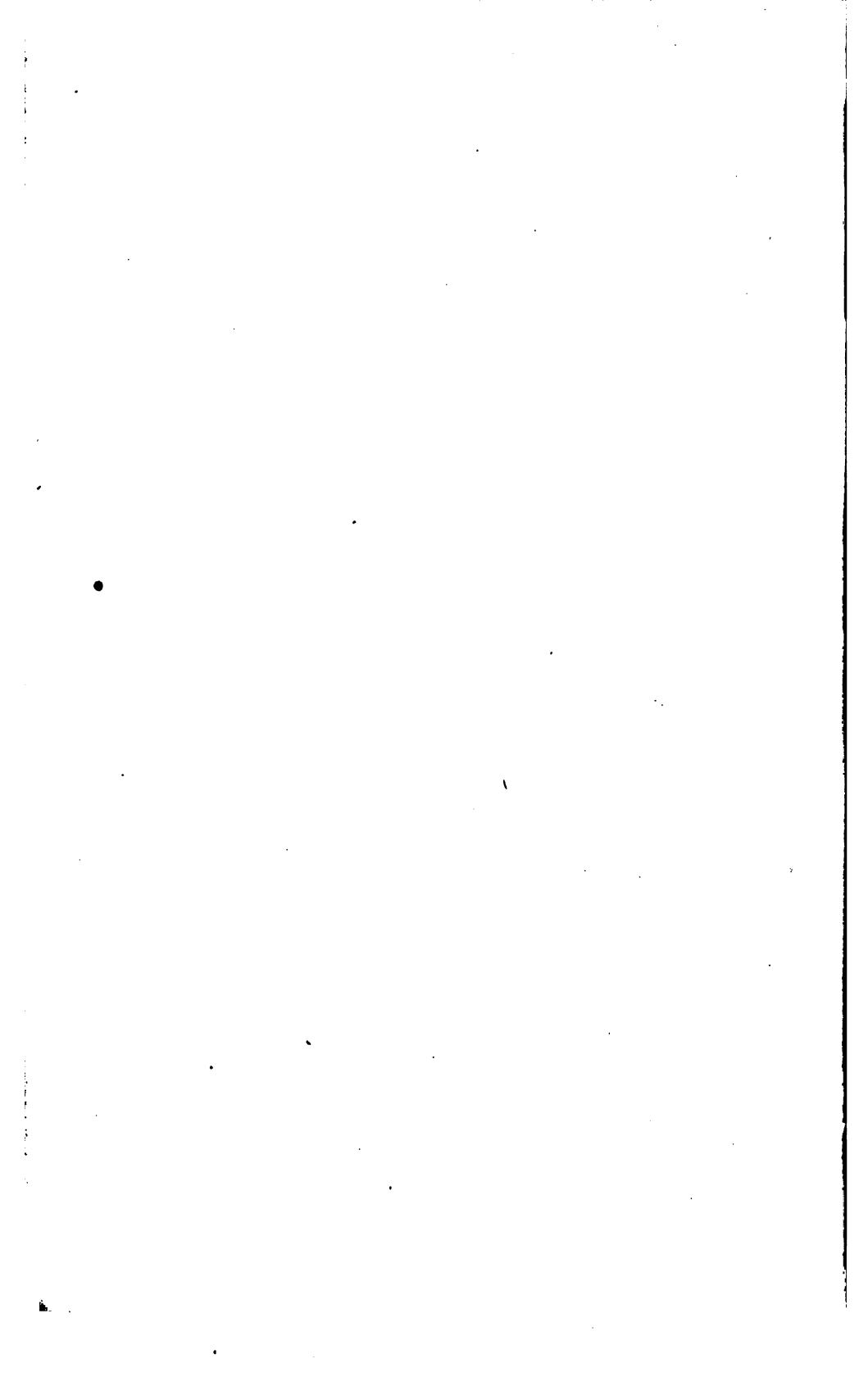
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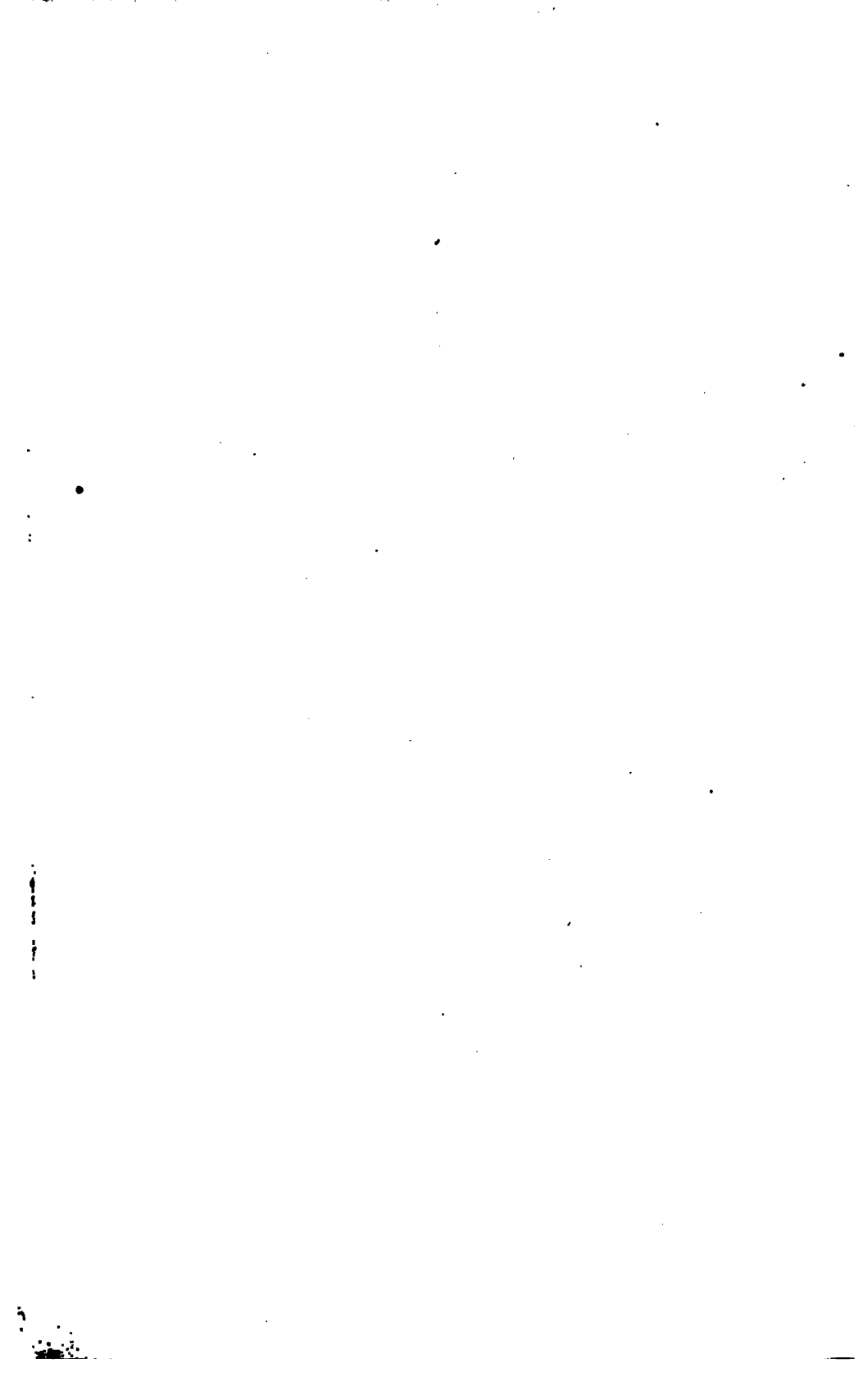
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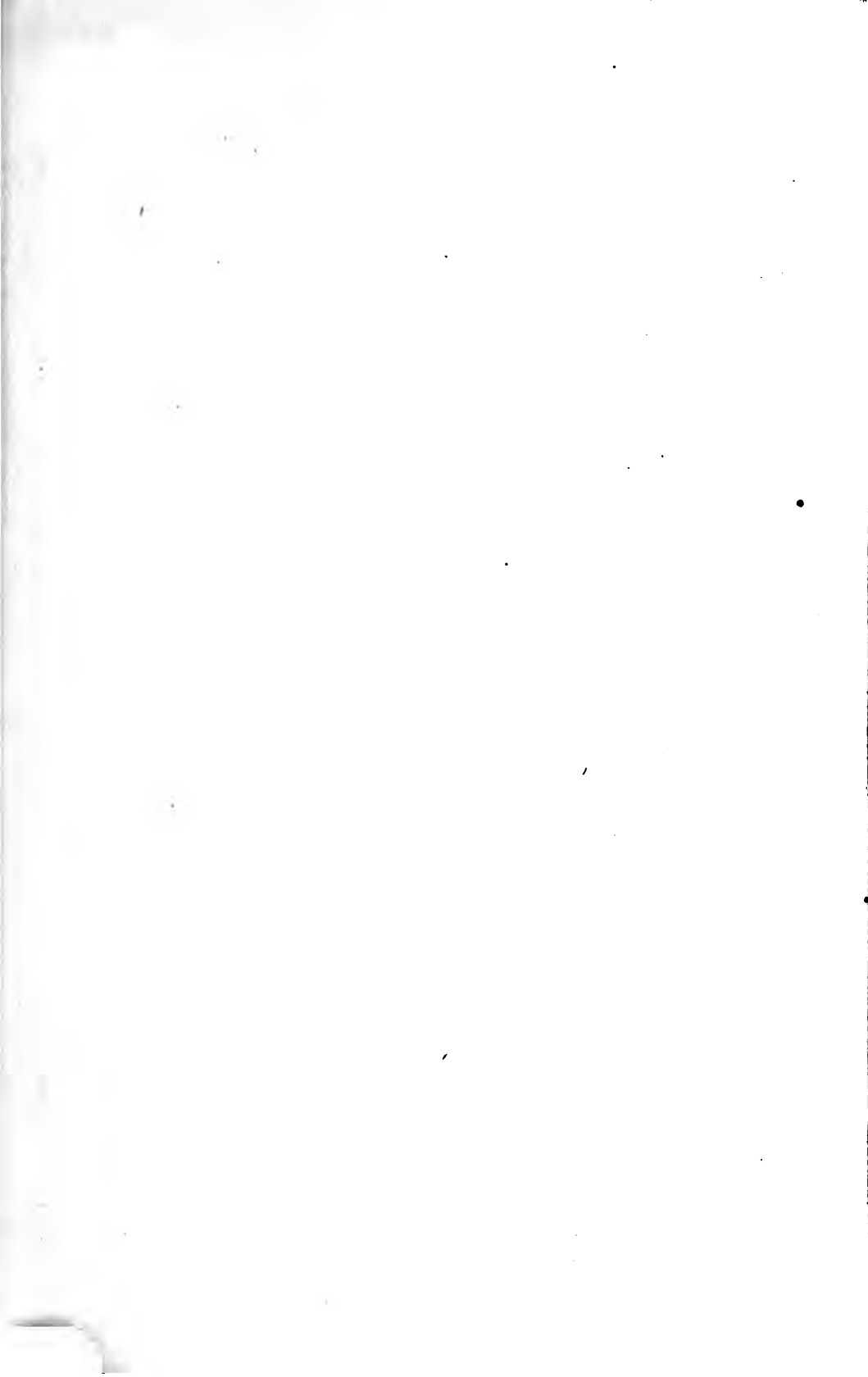
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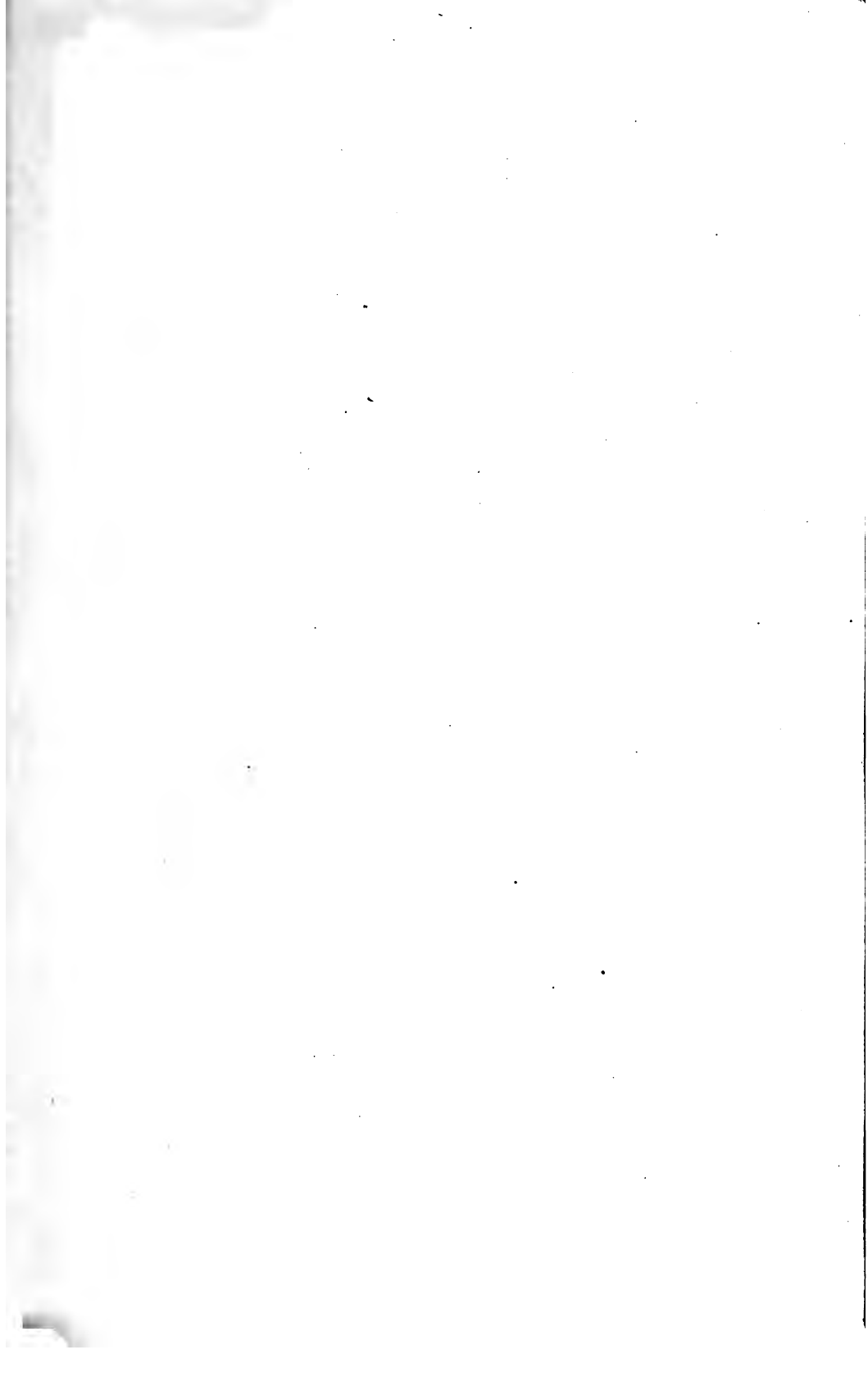
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STATUTES
OF THE
STATE OF NEVADA,

PASSED AT THE
SEVENTH SESSION OF THE LEGISLATURE,
1875.

BEGUN ON MONDAY, THE FOURTH DAY OF JANUARY, AND ENDED
ON THURSDAY, THE FOURTH DAY OF MARCH.



CARSON CITY:
JOHN J. HILL, STATE PRINTER.
1875.

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CONSTITUTION OF THE STATE OF NEVADA.

CONSTITUTION OF THE STATE OF NEVADA.

PRELIMINARY ACTION.

WHEREAS, The Act of Congress, approved March twenty-first, A. D. eighteen hundred and sixty-four, "To enable the People of the Territory of Nevada to form a Constitution and State Government, and for the admission of such State into the Union on an equal footing with the original States," requires that the members of the Convention for framing such Constitution shall, after organization, on behalf of the people of said Territory, adopt the Constitution of the United States; therefore, be it

Resolved, That the members of this Convention, elected by the authority of the aforesaid Enabling Act of Congress, assembled in Carson City, the Capital of said Territory of Nevada, and immediately subsequent to its organization, do adopt, on behalf of the people of said Territory, the Constitution of the United States.

Preamble.

Constitution of United States adopted.

ORDINANCE.

In obedience to the requirements of an Act of the Congress of the United States, approved March twenty-first, A. D. eighteen hundred and sixty-four, to enable the people of Nevada to form a Constitution and State Government, this Convention, elected and convened in obedience to said Enabling Act, do ordain as follows—and this ordinance shall be irrevocable, without the consent of the United States and the people of the State of Nevada:

Ordinance.

First—That there shall be in this State neither slavery nor involuntary servitude, otherwise than in the punishment for crimes, whereof the party shall have been duly convicted.

Slavery prohibited.

Second—That perfect toleration of religious sentiment shall be secured, and no inhabitant of said State shall ever be molested, in person or property, on account of his or her mode of religious worship.

Religious sentiment tolerated.

Third—That the people inhabiting said Territory do agree, and declare, that they forever disclaim all right and title to

Right and title to public land disclaimed.

United
States
lands
exempt
from
taxation.

the unappropriated public lands lying within said Territory, and that the same shall be and remain at the sole and entire disposition of the United States; and that lands belonging to citizens of the United States residing without the said State, shall never be taxed higher than the land belonging to residents thereof; and that no taxes shall be imposed by said State on lands or property therein belonging to, or which may hereafter be purchased by, the United States.

PREAMBLE.

We, the people of the State of Nevada, grateful to Almighty God for our freedom, in order to secure its blessings, insure domestic tranquillity, and form a more perfect Government, do establish this

CONSTITUTION.

ARTICLE I.

DECLARATION OF RIGHTS.

SECTION 1. All men are, by nature, free and equal, and have certain inalienable rights, among which are those of enjoying and defending life and liberty; acquiring, possessing, and protecting property, and pursuing and obtaining safety and happiness.

Paramount
allegiance.

SEC. 2. All political power is inherent in the people. Government is instituted for the protection, security, and benefit of the people; and they have the right to alter or reform the same whenever the public good may require it. But the paramount allegiance of every citizen is due to the Federal Government, in the exercise of all its Constitutional powers, as the same have been, or may be, defined by the Supreme Court of the United States, and no power exists in the people of this or any other State of the Federal Union to dissolve their connection therewith, or perform any act tending to impair, subvert, or resist the supreme authority of the Government of the United States. The Constitution of the United States confers full power on the Federal Government to maintain and perpetuate its existence, and whensoever any portion of the States, or people thereof, attempt to secede from the Federal Union, or forcibly resist the execution of its laws, the Federal Government may, by warrant of the Constitution, employ armed force in compelling obedience to its authority.

Powers of
Federal
Govern-
ment.

Right of
trial by
jury.

SEC. 3. The right of trial by jury shall be secured to all, and remain inviolate forever; but a jury trial may be waived by the parties in all civil cases, in the manner to be prescribed by law; and in civil cases, if three fourths of the jurors agree upon a verdict, it shall stand, and have the same force and effect as a verdict by the whole jury; *provided*, the Legislature, by a law passed by a two thirds vote of all the members elected to

each branch thereof, may require a unanimous verdict, notwithstanding this provision.

SEC. 4. The free exercise and enjoyment of religious profession and worship, without discrimination or preference, shall forever be allowed in this State; and no person shall be rendered incompetent to be a witness on account of his opinions on matters of his religious belief; but the liberty of conscience hereby secured shall not be so construed as to excuse acts of licentiousness, or justify practices inconsistent with the peace or safety of this State. Religious worship.

SEC. 5. The privilege of the writ of *habeas corpus* shall not be suspended, unless, when in cases of rebellion or invasion, the public safety may require its suspension. Habeas corpus.

SEC. 6. Excessive bail shall not be required, nor excessive fines imposed; nor shall cruel or unusual punishments be inflicted; nor shall witnesses be unreasonably detained. Bail.

SEC. 7. All persons shall be bailable by sufficient sureties; unless for capital offenses, when the proof is evident, or the presumption great. When bailable.

SEC. 8. No person shall be tried for a capital or other infamous crime (except in cases of impeachment, and in cases of the militia when in actual service, and the land and naval forces in time of war, or which this State may keep with the consent of Congress in time of peace, and in cases of petit larceny, under the regulation of the Legislature), except on presentment or indictment of a Grand Jury; and in any trial in any Court whatever, the party accused shall be allowed to appear and defend in person, and with counsel, as in civil actions. No person shall be subject to be twice put in jeopardy for the same offense; nor shall he be compelled, in any criminal case, to be a witness against himself; nor be deprived of life, liberty, or property, without due process of law; nor shall private property be taken for public use without just compensation having been first made or secured, except in cases of war, riot, fire, or great public peril, in which case compensation shall be afterward made. Capital or infamous crime, when tried. When property may be taken without compensation.

SEC. 9. Every citizen may freely speak, write, and publish his sentiments on all subjects, being responsible for the abuse of that right; and no law shall be passed to restrain or abridge the liberty of speech or of the press. In all criminal prosecutions, and civil actions for libels, the truth may be given in evidence to the jury, and if it shall appear to the jury that the matter-charged as libelous is true, and was published with good motives, and for justifiable ends, the party shall be acquitted or exonerated. Freedom of speech and of the press.

SEC. 10. The people shall have the right freely to assemble together to consult for the common good, to instruct their representatives, and to petition the Legislature for redress of grievances. Right to assemble and petition.

SEC. 11. The military shall be subordinate to the civil power. No standing army shall be maintained by this State in time of peace, and in time of war no appropriation for a standing army shall be for a longer time than two years. Standing army not maintained.

SEC. 12. No soldier shall, in time of peace, be quartered in any house without the consent of the owner, nor in time of war, except in the manner to be prescribed by law.

Apportionment of representation.

SEC. 13. Representation shall be apportioned according to population.

Privileges of debtors.

SEC. 14. The privilege of the debtor to enjoy the necessary comforts of life shall be recognized by wholesome laws, exempting a reasonable amount of property from seizure or sale for payment of any debts or liabilities hereafter contracted; and there shall be no imprisonment for debt, except in cases of fraud, libel, or slander, and no person shall be imprisoned for a militia fine in time of peace.

Ex post facto law.

SEC. 15. No bill of attainder, *ex post facto* law, or law impairing the obligation of contracts, shall ever be passed.

Rights of bona fide residents.

SEC. 16. Foreigners who are, or who may hereafter become, *bona fide* residents of this State, shall enjoy the same rights in respect to the possession, enjoyment, and inheritance of property as native-born citizens.

Slavery prohibited.

SEC. 17. Neither slavery nor involuntary servitude, unless for the punishment of crimes, shall ever be tolerated in this State.

Rights against seizures and searches.

SEC. 18. The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable seizures and searches, shall not be violated; and no warrant shall issue but on probable cause, supported by oath or affirmation, particularly describing the place or places to be searched, and the person or persons, and thing or things to be seized.

Treason, what to consist of.

SEC. 19. Treason against the State shall consist only in levying war against it, adhering to its enemies, or giving them aid and comfort. And no person shall be convicted of treason unless on the testimony of two witnesses to the same overt act, or on confession in open Court.

SEC. 20. This enumeration of rights shall not be construed to impair or deny others retained by the people.

ARTICLE II.

RIGHT OF SUFFRAGE.

Right of suffrage. Who entitled.

SECTION 1. Every white male citizen of the United States (not laboring under the disabilities named in this Constitution), of the age of twenty-one years and upwards, who shall have actually and not constructively resided in the State six months, and in the district or county thirty days next preceding any election, shall be entitled to vote for all officers that now are or hereafter may be elected by the people, and upon all questions submitted to the electors at such election; *provided*, that no person who has been or may be convicted of treason or felony in any State or Territory of the United States, unless restored to civil rights, and no person who, after arriving at the age of eighteen years, shall have voluntarily borne arms against the United States, or held civil or military office under the so-called Confederate States, or either of them, unless an amnesty be granted to such by the Federal Government, and

no idiot or insane person shall be entitled to the privilege of an elector.

SEC. 2. For the purpose of voting, no person shall be deemed to have gained or lost a residence by reason of his presence or absence while employed in the service of the United States, nor while engaged in the navigation of the waters of the United States, or of the high seas; nor while a student of any seminary of learning; nor while kept at any almshouse or other asylum, at public expense; nor while confined in any public prison.

Residence, when not gained or lost.

SEC. 3. The right of suffrage shall be enjoyed by all persons otherwise entitled to the same, who may be in the military or naval service of the United States; *provided*, that the votes so cast shall be made to apply to the county and township of which said voters were *bona fide* residents at the time of their enlistment; *and, provided further*, that the payment of a poll tax or a registration of such voters shall not be required as a condition to the right of voting. Provision shall be made by law regulating the manner of voting, holding elections, and making returns of such elections, wherein other provisions are not contained in this Constitution.

Right of suffrage to be enjoyed by persons in military service.

Proviso.

SEC. 4. During the day on which any general election shall be held in this State, no qualified elector shall be arrested by virtue of any civil process.

Elector, not to be arrested.

SEC. 5. All elections by the people shall be by ballot, and all elections by the Legislature, or by either branch thereof, shall be *viva voce*.

Elections.

SEC. 6. Provision shall be made by law for the registration of the names of the electors within the counties of which they may be residents, and for the ascertainment, by proper proofs, of the persons who shall be entitled to the right of suffrage, as hereby established, to preserve the purity of elections, and to regulate the manner of holding and making returns of the same; and the Legislature shall have power to prescribe by law any other or further rules or oaths as may be deemed necessary, as a test of electoral qualification.

Registration of electors required.

SEC. 7. The Legislature shall provide by law for the payment of an annual poll tax of not less than two nor exceeding four dollars from each male person resident in the State, between the ages of twenty-one and sixty years (uncivilized American Indians excepted), one half to be applied for State and one half for county purposes; and the Legislature may, in its discretion, make such payment a condition to the right of voting.

Poll tax.

SEC. 8. All persons qualified by law to vote for representatives to the General Assembly of the Territory of Nevada on the twenty-first day of March, A. D. eighteen hundred and sixty-four, and all other persons who may be lawful voters in said Territory on the first Wednesday of September next following, shall be entitled to vote directly upon the question of adopting or rejecting this Constitution.

Qualified voters.

ARTICLE III.

DISTRIBUTION OF POWERS.

Powers restricted. SECTION 1. The powers of the Government of the State of Nevada shall be divided into three separate departments—the Legislative, the Executive, and the Judicial; and no persons charged with the exercise of powers properly belonging to one of these departments shall exercise any functions appertaining to either of the others, except in the cases herein expressly directed or permitted.

ARTICLE IV.

LEGISLATIVE DEPARTMENT.

How vested SECTION 1. The Legislative authority of this State shall be vested in a Senate and Assembly, which shall be designated
Where held "The Legislature of the State of Nevada," and the sessions of such Legislature shall be held at the seat of government of the State.

Sessions. SEC. 2. The sessions of the Legislature shall be biennial, and shall commence on the first Monday of January next ensuing the election of members of the Assembly, unless the Governor of the State shall, in the interim, convene the Legislature by proclamation.

Assemblymen, when chosen. SEC. 3. The members of the Assembly shall be chosen biennially, by the qualified electors of their respective districts, on the Tuesday next after the first Monday in November, and their term of office shall be two years from the day next after their election.

Term of office. SEC. 4. Senators shall be chosen at the same time and places as members of the Assembly, by the qualified electors of their respective districts, and their term of office shall be four years from the day next after their election.

Senators, when chosen. SEC. 5. Senators and members of the Assembly shall be duly qualified electors in the respective counties and districts which they represent, and the number of Senators shall not be less than one third nor more than one half of that of the members of the Assembly.

Senators and Assemblymen to be qualified electors. SEC. 6. Each House shall judge of the qualifications, elections, and returns of its own members, choose its own officers (except the President of the Senate), determine the rules of its proceedings, and may punish its members for disorderly conduct, and, with the concurrence of two thirds of all the members elected, expel a member.

Right to judge of qualification. SEC. 7. Either House, during the session, may punish, by imprisonment, any person not a member who shall have been guilty of disrespect to the House by disorderly or contemptuous behavior in its presence; but such imprisonment shall not extend beyond the final adjournment of the session.

May punish and expel. SEC. 8. No Senator or member of Assembly shall, during the term for which he shall have been elected, nor for one year

thereafter, be appointed to any civil office of profit under this State which shall have been created, or the emoluments of which shall have been increased, during such term, except such office as may be filled by elections by the people.

Not eligible to appointment to civil office.

SEC. 9. No person holding any lucrative office under the Government of the United States, or any other power, shall be eligible to any civil office of profit under this State; *provided*, that Postmasters whose compensation does not exceed five hundred dollars per annum, or Commissioners of Deeds, shall not be deemed as holding a lucrative office.

Who not eligible to office.

SEC. 10. Any person who shall be convicted of the embezzlement or defalcation of the public funds of this State, or who may be convicted of having given or offered a bribe to procure his election or appointment to office, or received a bribe to aid in the procurement of office for any other person, shall be disqualified from holding any office of profit or trust in this State; and the Legislature shall, as soon as practicable, provide by law for the punishment of such defalcation, bribery, or embezzlement, as a felony.

When disqualified.

SEC. 11. Members of the Legislature shall be privileged from arrest on civil process during the session of the Legislature, and for fifteen days next before the commencement of each session.

Members exempt from arrest.

SEC. 12. When vacancies occur in either House, the Governor shall issue writs of election to fill such vacancy.

Vacancies, how filled.

SEC. 13. A majority of all the members elected to each House shall constitute a quorum to transact business, but a smaller number may adjourn from day to day, and may compel the attendance of absent members in such manner and under such penalties as each House may prescribe.

Quorum.

SEC. 14. Each House shall keep a journal of its own proceedings, which shall be published, and the yeas and nays of the members of either House on any question, shall, at the desire of any three members present, be entered on the journal.

Journal required.

SEC. 15. The doors of each House shall be kept open during its session, except the Senate while sitting in executive session; and neither shall, without the consent of the other, adjourn for more than three days, nor to any other place than that in which they may be holding their sessions.

Doors may be closed.

SEC. 16. Any bill may originate in either House of the Legislature, and all bills passed by one may be amended in the other.

Where bills may originate.

SEC. 17. Each law enacted by the Legislature shall embrace but one subject and matter properly connected therewith, which subject shall be briefly expressed in the title; and no law shall be revised or amended by reference to its title only; but, in such case, the Act as revised, or section as amended, shall be reenacted and published at length.

Laws, what to embrace.

SEC. 18. Every bill shall be read by sections on three several days in each House, unless in case of emergency two thirds of the House where such bill may be pending shall deem it expedient to dispense with this rule; but the reading of a bill by sections, on its final passage, shall in no case be dispensed

Bills, how read.

with, and the vote on the final passage of every bill or joint resolution shall be taken by yeas and nays, to be entered on the journals of each House; and a majority of all the members elected to each House shall be necessary to pass every bill or joint resolution, and all bills or joint resolutions so passed shall be signed by the presiding officers of the respective Houses, and by the Secretary of the Senate and Clerk of the Assembly.

How passed.
How signed.
Money, how to be drawn.
SEC. 19. No money shall be drawn from the Treasury but in consequence of appropriations made by law. An accurate statement of the receipts and expenditures of the public money shall be attached to and published with the laws at every regular session of the Legislature.

Legislation restricted.
SEC. 20. The Legislature shall not pass local or special laws in any of the following enumerated cases, that is to say:

Regulating the jurisdiction and duties of Justices of the Peace and of Constables;

For the punishment of crimes and misdemeanors;

Regulating the practice of Courts of justice;

Providing for changing the venue in civil and criminal cases;

Granting divorces;

Changing the names of persons;

Vacating roads, town plots, streets, alleys, and public squares;

Summoning and impaneling grand and petit juries and providing for their compensation;

Regulating county and township business;

Regulating the election of county and township officers;

For the assessment and collection of taxes for State, county, and township purposes;

Providing for opening and conducting elections of State, county, or township officers, and designating the places of voting;

Providing for the sale of real estate belonging to minors or other persons laboring under legal disabilities.

Laws to be general.
SEC. 21. In all cases enumerated in the preceding section, and in all other cases where a general law can be made applicable, all laws shall be general and of uniform operation throughout the State.

Suits against the State.
SEC. 22. Provision may be made by general law for bringing suit against the State, as to all liabilities originating after the adoption of this Constitution.

Enacting clause.
SEC. 23. The enacting clause of every law shall be as follows: "The People of the State of Nevada, represented in Senate and Assembly, do enact as follows," and no law shall be enacted except by bill.

Lotteries prohibited.
SEC. 24. No lottery shall be authorized by this State, nor shall the sale of lottery tickets be allowed.

County and township government.
SEC. 25. The Legislature shall establish a system of county and township government, which shall be uniform throughout the State.

County Commissioners.
SEC. 26. The Legislature shall provide by law for the election of a Board of County Commissioners in each county, and such County Commissioners shall, jointly and individually, perform such duties as may be prescribed by law.

Jury service.
SEC. 27. Laws shall be made to exclude from serving on juries all persons not qualified electors of this State, and all

persons who shall have been convicted of bribery, perjury, forgery, larceny, or other high crimes, unless restored to civil rights; and laws shall be passed regulating elections, and prohibiting, under adequate penalties, all undue influence thereon from power, bribery, tumult, or other improper practice. Elections.

SEC. 28. No money shall be drawn from the State Treasury as salary or compensation to any officer or employé of the Legislature, or either branch thereof, except in cases where such salary or compensation has been fixed by a law in force prior to the election or appointment of such officer or employé, and the salary or compensation so fixed shall neither be increased nor diminished so as to apply to any officer or employé of the Legislature, or either branch thereof, at such session; *provided*, that this restriction shall not apply to the first session of the Legislature. When money to be drawn.

SEC. 29. The first regular session of the Legislature, under this Constitution, may extend to ninety days, but no subsequent regular session shall exceed sixty days, nor any special session, convened by the Governor, exceed twenty days. Time of session.

SEC. 30. A homestead, as provided by law, shall be exempt from forced sale under any process of law, and shall not be alienated without the joint consent of husband and wife, when that relation exists; but no property shall be exempt from sale for taxes or for the payment of obligations contracted for the purchase of said premises, or for the erection of improvements thereon; *provided*, the provisions of this section shall not apply to any process of law obtained by virtue of a lien given by the consent of both husband and wife; and laws shall be enacted providing for the recording of such homestead within the county in which the same shall be situated. Homesteads exempt from forced sale.

SEC. 31. All property, both real and personal, of the wife, owned or claimed by her before marriage, and that acquired afterward by gift, devise, or descent, shall be her separate property; and laws shall be passed more clearly defining the rights of the wife in relation, as well to her separate property as to that held in common with her husband. Laws shall also be passed providing for the registration of the wife's separate property. Wife to hold property. Registration.

SEC. 32. The Legislature shall provide for the election, by the people, of a Clerk of the Supreme Court, County Clerks, County Recorders, who shall be ex officio County Auditors, District Attorneys, Sheriffs, County Surveyors, Public Administrators, and other necessary officers, and fix, by law, the duties and compensation. County Clerks shall be ex officio Clerks of the Courts of record, and of the Boards of County Commissioners, in and for their respective counties. Officers, provision to be made for election of.

SEC. 33. The members of the Legislature shall receive for their services, a compensation to be fixed by law, and paid out of the public Treasury; but no increase of such compensation shall take effect during the term for which the members of either House shall have been elected; *provided*, that an appropriation may be made for the payment of such actual expenses as members of the Legislature may incur for postage, express charges, newspapers, and stationery, not exceeding the sum of sixty dollars for any general or special session, to each member; Compensation.

and, furthermore provided, that the Speaker of the Assembly, and Lieutenant Governor as President of the Senate, shall each, during the time of their actual attendance as such presiding officers, receive an additional allowance of two dollars per diem.

United
States
Senators,
how elected

SEC. 34. In all elections for United States Senators, such elections shall be held in Joint Convention of both Houses of the Legislature. It shall be the duty of the Legislature which convenes next preceding the expiration of the term of such Senator, to elect his successor. If a vacancy in such Senatorial representation, from any cause occur, it shall be the duty of the Legislature then in session, or at the succeeding session thereof, to supply such vacancy. If the Legislature shall, at any time, as herein provided, fail to unite in a Joint Convention within twenty days after the commencement of the session of the Legislature, for the election [of] such Senator, it shall be the duty of the Governor, by proclamation, to convene the two Houses of the Legislature in Joint Convention within not less than five days nor exceeding ten days from the publication of his proclamation; and the Joint Convention, when so assembled, shall proceed to elect the Senator as herein provided.

Bill, when
to become
a law.

SEC. 35. Every bill which may have passed the Legislature shall, before it becomes a law, be presented to the Governor. If he approve it, he shall sign it; but if not, he shall return it, with his objections, to the House in which it originated, which House shall cause such objections to be entered upon its journal, and proceed to reconsider it. If, after such reconsideration, it again pass both Houses by yeas and nays, by a vote of two thirds of the members elected to each House, it shall become a law, notwithstanding the Governor's objections. If any bill shall not be returned within five days after it shall have been presented to him (Sunday excepted), exclusive of the day on which he received it, the same shall be a law in like manner as if he had signed it, unless the Legislature, by its final adjournment, prevent such return, in which case it shall be a law, unless the Governor, within ten days next after the adjournment (Sunday excepted), shall file such bill, with his objections thereto, in the office of the Secretary of State, who shall lay the same before the Legislature at its next session, in like manner as if it had been returned by the Governor; and if the same bill receive the vote of two thirds of the members elected to each branch of the Legislature, upon a vote taken by yeas and nays, and be entered upon the journals of each House, it shall become a law.

ARTICLE V.

EXECUTIVE DEPARTMENT.

Supreme
power, in
whom
vested.

SECTION 1. The supreme executive power of this State shall be vested in a chief magistrate, who shall be Governor of the State of Nevada.

How
elected,
and term
of office.

SEC. 2. The Governor shall be elected by the qualified electors at the time and places of voting for members of the Legislature, and shall hold his office for four years from the time of his installation, and until his successor shall be qualified.

SEC. 3. No person shall be eligible to the office of Governor who is not a qualified elector, and who, at the time of such election, has not attained the age of twenty-five years, and who, except at the first election under the Constitution, shall not have been a citizen resident of this State for two years next preceding the election. Who eligible.

SEC. 4. The returns of every election for Governor, and other State officers voted for at the general election, shall be sealed up and transmitted to the seat of government, directed to the Secretary of State; and on the third Monday of December succeeding such election, the Chief Justice of the Supreme Court, and the Associate Justices, or a majority thereof, shall meet at the office of the Secretary of State, and open and canvass the election returns for Governor and all other State officers, and forthwith declare the result and publish the names of the persons elected. The persons having the highest number of votes for the respective offices shall be declared elected; but in case any two or more have an equal and the highest number of votes for the same office, the Legislature shall, by joint vote of both Houses, elect one of said persons to fill said office. Returns of election, how made.

SEC. 5. The Governor shall be Commander-in-Chief of the military forces of this State, except when they shall be called into the service of the United States. Who elected.

SEC. 6. He shall transact all executive business with the officers of the government, civil and military, and may require information in writing from the officers of the Executive Department, upon any subject relating to the duties of their respective offices. Commander-in-Chief.

SEC. 7. He shall see that the laws are faithfully executed.

SEC. 8. When any office shall, from any cause, become vacant, and no mode is provided by the Constitution and laws for filling such vacancy, the Governor shall have the power to fill such vacancy by granting a commission, which shall expire at the next election and qualification of the person elected to such office. Duties of Governor.

SEC. 9. The Governor may, on extraordinary occasions, convene the Legislature, by proclamation, and shall state to both Houses, when organized, the purpose for which they have been convened; and the Legislature shall transact no legislative business except that for which they were specially convened, or such other legislative business as the Governor may call to the attention of the Legislature while in session. Vacancies in office, how filled.

SEC. 10. He shall communicate, by message, to the Legislature, at every regular session, the condition of the State, and recommend such measures as he may deem expedient. May convene Legislature.

SEC. 11. In case of a disagreement between the two Houses, with respect to the time of adjournment, the Governor shall have power to adjourn the Legislature to such time as he may think proper; *provided*, it be not beyond the time fixed for the meeting of the next Legislature. Communications, how made.

SEC. 12. No person shall, while holding any office under the United States Government, hold the office of Governor, except as herein expressly provided. Power to adjourn.

Who not eligible to office of Governor.

Powers of Governor.

SEC. 13. The Governor shall have the power to suspend the collection of fines and forfeitures, and grant reprieves for a period not exceeding sixty days, dating from the time of conviction, for all offenses, except in cases of impeachment. Upon conviction for treason, he shall have power to suspend the execution of the sentence until the case shall be reported to the Legislature at its next meeting, when the Legislature shall either pardon, direct the execution of the sentence, or grant a further reprieve. And if the Legislature should fail or refuse to make final disposition of such case, the sentence shall be enforced at such time and place as the Governor, by his order, may direct. The Governor shall communicate to the Legislature, at the beginning of every session, every case of fine or forfeiture remitted, or reprieve, pardon, or commutation granted, stating the name of the convict, the crime of which he was convicted, the sentence, its date, and the date of the remission, commutation, pardon, or reprieve.

Who may remit fines and grant pardons.

SEC. 14. The Governor, Justices of the Supreme Court, and Attorney General, or a major part of them, of whom the Governor shall be one, may, upon such conditions and with such limitations and restrictions as they may think proper, remit fines and forfeitures, commute punishments, and grant pardons, after convictions, in all cases except treason and impeachment, subject to such regulations as may be provided by law relative to the manner of applying for pardons.

State seal.

SEC. 15. There shall be a seal of this State, which shall be kept by the Governor, and used by him officially, and shall be called "The Great Seal of the State of Nevada."

Grants and commissions to be in the name of the State, etc.

SEC. 16. All grants and commissions shall be in the name and by the authority of the State of Nevada, sealed with the Great Seal of the State, signed by the Governor, and countersigned by the Secretary of State.

Lieutenant Governor, how to be elected.

SEC. 17. A Lieutenant Governor shall be elected at the same time and places and in the same manner as the Governor, and his term of office and his eligibility shall also be the same. He shall be President of the Senate, but shall only have a casting vote therein. If, during a vacancy of the office of Governor, the Lieutenant Governor shall be impeached, displaced, resign, die, or become incapable of performing the duties of the office, or be absent from the State, the President *pro tempore* of the Senate shall act as Governor, until the vacancy be filled or the disability cease.

When duties of Governor shall devolve on Lieutenant

SEC. 18. In case of the impeachment of the Governor, or his removal from office, death, inability to discharge the duties of the said office, resignation, or absence from the State, the powers and duties of the office shall devolve upon the Lieutenant Governor for the residue of the term, or until the disability shall cease. But when the Governor shall, with the consent of the Legislature, be out of the State in time of war, and at the head of any military force thereof, he shall continue Commander-in-Chief of the military forces of the State.

Secretary of State, Controller, Treasurer, and Attorney General, who eligible.

SEC. 19. A Secretary of State, a Treasurer, a Controller, a Surveyor General, and an Attorney General, shall be elected at the same time and places and in the same manner as the Governor. The term of office of each shall be the same as is pre-

scribed for the Governor. Any elector shall be eligible to either of said offices.

SEC. 20. The Secretary of State shall keep a true record of the official acts of the Legislative and Executive Departments of the Government, and shall, when required, lay the same, and all matters relative thereto, before either branch of the Legislature. Duties of Secretary of State.

SEC. 21. The Governor, Secretary of State, and Attorney General shall constitute a Board of State Prison Commissioners, which Board shall have such supervision of all matters connected with the State Prison as may be provided by law. They shall also constitute a Board of Examiners, with power to examine all claims against the State (except salaries or compensation of officers fixed by law), and perform such other duties as may be prescribed by law. And no claim against the State (except salaries or compensation of officers fixed by law), shall be passed upon by the Legislature, without having been considered and acted upon by said "Board of Examiners." Prison Commissioners.
Board of Examiners.

SEC. 22. The Secretary of State, State Treasurer, State Controller, Surveyor General, Attorney General, and Superintendent of Public Instruction, shall perform such other duties as may be prescribed by law. Duties.

ARTICLE VI.

JUDICIAL DEPARTMENT.

SECTION 1. The Judicial power of this State shall be vested in a Supreme Court, District Courts, and in Justices of the Peace. The Legislature may also establish Courts for municipal purposes only, in incorporated cities and towns. Courts.

SEC. 2. The Supreme Court shall consist of a Chief Justice and two Associate Justices, a majority of whom shall constitute a quorum; *provided*, that the Legislature, by a majority of all the members elected to each branch thereof, may provide for the election of two additional Associate Justices, and if so increased, three shall constitute a quorum. The concurrence of a majority of the whole Court shall be necessary to render a decision. Supreme Court.
Quorum.

SEC. 3. The Justices of the Supreme Court shall be elected by the qualified electors of the State at the general election, and shall hold office for the term of six years from and including the first Monday of January next succeeding their election; *provided*, that there shall be elected, at the first election under this Constitution, three Justices of the Supreme Court, who shall hold office from and including the first Monday of December, A. D. eighteen hundred and sixty-four, and continue in office thereafter two, four, and six years, respectively, from and including the first Monday of January next succeeding their election. They shall meet as soon as practicable after their election and qualification, and at their first meeting shall determine, by lot, the term of office each shall fill, and the Justice drawing the shortest term shall be Chief Justice; and after the expiration of his term, the one having the next shortest term How and when elected, and term of office.

Chief
Justice.

shall be Chief Justice, after which the senior Justice in commission shall be Chief Justice. And in case the commission of any two or more of said Justices shall bear the same date, they shall determine, by lot, who shall be Chief Justice.

Jurisdic-
tion.

SEC. 4. The Supreme Court shall have appellate jurisdiction in all cases in equity; also, in all cases at law in which is involved the title or right of possession to, or the possession of, real estate or mining claims, or the legality of any tax, impost, assessment, toll, or municipal fine, or in which the demand (exclusive of interest), or the value of the property in controversy, exceeds three hundred dollars; also, in all other civil cases not included in the general subdivisions of law and equity, and also on questions of law alone, in all criminal cases in which the offense charged amounts to felony. The Court shall also have power to issue writs of mandamus, certiorari, prohibition, quo warranto, and habeas corpus, and also all writs necessary or proper to the complete exercise of its appellate jurisdiction. Each of the Justices shall have power to issue writs of habeas corpus to any part of the State, upon petition by, or on behalf of, any person held in actual custody, and may make such writs returnable before himself or the Supreme Court, or before any District Court in the State, or before any Judge of said Courts.

Judicial
districts.

SEC. 5. The State is hereby divided into nine Judicial Districts, of which the County of Storey shall constitute the first; the County of Ormsby the second; the County of Lyon the third; the County of Washoe the fourth; the Counties of Nye and Churchill the fifth; the County of Humboldt the sixth; the County of Lander the seventh; the County of Douglas the eighth; and the County of Esmeralda the ninth. The County of Roop shall be attached to the County of Washoe for judicial purposes, until otherwise provided by law. The Legislature may, however, provide by law for an alteration in the boundaries or divisions of the districts herein prescribed, and also for increasing or diminishing the number of the Judicial Districts and Judges therein. But no such change shall take effect, except in case of a vacancy, or the expiration of the term of an incumbent of the office. At the first general election under

May be
altered.

Election
of District
Judges.

this Constitution, there shall be elected in each of the respective districts (except as in this section hereafter otherwise provided), one District Judge, who shall hold office from and including the first Monday of December, A. D. eighteen hundred and sixty-four, and until the first Monday of January, in the year eighteen hundred and sixty-seven; after the said first election, there shall be elected at the general election which immediately precedes the expiration of the term of his predecessor, one District Judge in each of the respective Judicial Districts (except in the First District, as in this section herein-after provided). The District Judges shall be elected by the qualified electors of their respective districts, and shall hold office for the term of four years (excepting those elected at said first election) from and including the first Monday of January next succeeding their election and qualification; *provided*, that the First Judicial District shall be entitled to and shall have three District Judges, who shall possess co extensive and concurrent jurisdiction, and who shall be elected at the same

One Judge
for each
district.

times, in the same manner, and shall hold office for the like terms as herein prescribed, in relation to the Judges in other Judicial Districts. Any one of said Judges may preside on the impaneling of Grand Juries, and the presentment and trial on indictments under such rules and regulations as may be prescribed by law.

SEC. 6. The District Courts in the several Judicial Districts of this State shall have original jurisdiction in all cases in equity; also, in all cases at law which involve the title or the right of possession to, or the possession of, real property or mining claims, or the legality of any tax, impost, assessment, toll, or municipal fine, and in all other cases in which the demand (exclusive of interest), or the value of the property in controversy, exceeds three hundred dollars; also, in all cases relating to the estates of deceased persons, and the persons and estates of minors and insane persons, and of the action of forcible entry and unlawful detainer; and, also, in all criminal cases not otherwise provided for by law. They shall, also, have final appellate jurisdiction in cases arising in Justices' Courts, and such other inferior tribunals as may be established by law. The District Courts, and the Judges thereof, shall have power to issue writs of mandamus, injunction, quo warranto, certiorari, and all other writs proper and necessary to the complete exercise of their jurisdiction; and, also, shall have power to issue writs of habeas corpus on petition by or on behalf of any person held in actual custody in their respective districts. Jurisdiction and powers.

SEC. 7. The times of holding the Supreme Court, and District Courts, shall be as fixed by law. The terms of the Supreme Court shall be held at the seat of government, and the terms of the District Courts shall be held at the county seats of their respective counties; *provided*, that in case any county shall be hereafter divided into two or more districts, the Legislature may, by law, designate the places of holding Courts in such districts. When and where Courts to be held.

SEC. 8. The Legislature shall determine the number of Justices of the Peace to be elected in each city and township of the State, and shall fix, by law, their powers, duties, and responsibilities; *provided*, that such Justices' Courts shall not have jurisdiction of the following cases, viz: First—Of cases in which the matter in dispute is a money demand or personal property, and the amount of the demand (exclusive of interest), or the value of the property, exceeds three hundred dollars. Second—Of cases wherein the title to real estate, or mining claims, or questions of boundaries to land, is or may be involved; or of cases that in any manner shall conflict with the jurisdiction of the several Courts of record in this State; and, *provided further*, that Justices' Courts shall have such criminal jurisdiction as may be prescribed by law; and the Legislature may confer upon said Courts jurisdiction, concurrent with the District Courts, of actions to enforce mechanics' liens, wherein the amount (exclusive of interest) does not exceed three hundred dollars; and, also, of actions for the possession of lands and tenements, Justices of the Peace.
Jurisdiction restricted.
Criminal jurisdiction.
Concurrent jurisdiction.

where the relation of landlord and tenant exists, or when such possession has been unlawfully or fraudulently obtained or withheld. The Legislature shall also prescribe, by law, the manner, and determine the cases, in which appeals may be taken from Justices' and other Courts. The Supreme Court, the District Courts, and such other Courts as the Legislature shall designate, shall be Courts of record.

Municipal Courts. SEC. 9. Provision shall be made, by law, prescribing the powers, duties, and responsibilities of any Municipal Court that may be established in pursuance of section one of this Article; and also fixing, by law, the jurisdiction of said Court, so as not to conflict with that of the several Courts of record.

Not to receive fees, etc. SEC. 10. No judicial officer, except Justices of the Peace and City Recorders, shall receive, to his own use, any fees or perquisites of office.

Ineligible to other office. SEC. 11. The Justices of the Supreme Court and the District Judges shall be ineligible to any office, other than a judicial office, during the term for which they shall have been elected; and all elections or appointments of any such Judges, by the people, Legislature, or otherwise, during said period, to any office other than judicial, shall be void.

Charge to juries. SEC. 12. Judges shall not charge juries in respect to matters of fact, but may state the testimony and declare the law.

Style of process. SEC. 13. The style of all process shall be "The State of Nevada," and all prosecutions shall be conducted in the name and by the authority of the same.

Form of civil action SEC. 14. There shall be but one form of civil action, and law and equity may be administered in the same action.

Salaries. SEC. 15. The Justices of the Supreme Court and District Judges shall each receive, quarterly, for their services, a compensation to be fixed by law, and which shall not be increased or diminished during the term for which they shall have been elected, unless in case a vacancy occurs, in which case the successor of the former incumbent shall receive only such salary as may be provided by law at the time of his election or appointment; and provision shall be made by law for setting apart from each year's revenue a sufficient amount of money to pay such compensation; *provided*, that District Judges shall be paid out of the County Treasuries of the counties composing their respective districts.

Court fee, or tax. SEC. 16. The Legislature, at its first session, and from time to time thereafter, shall provide, by law, that upon the institution of each civil action, and other proceedings, and also upon the perfecting of an appeal in any civil action or proceeding in the several Courts of record in this State, a special Court fee or tax shall be advanced to the Clerks of said Courts, respectively, by the party or parties bringing such action or proceeding, or taking such appeal; and the money so paid in shall be accounted for by such Clerks, and applied towards the payment of the compensation of the Judges of said Courts, as shall be directed by law.

Office, when vacated. SEC. 17. The Legislature shall have no power to grant leave of absence to a judicial officer, and any such officer who shall absent himself from the State for more than ninety consecutive days, shall be deemed to have vacated his office.

SEC. 18. No judicial officer shall be superseded, nor shall the organization of the several Courts of the Territory of Nevada be changed, until the election and qualification of the several officers provided for in this Article. ^{When superseded}

ARTICLE VII.

IMPEACHMENT AND REMOVAL FROM OFFICE.

SECTION 1. The Assembly shall have the sole power of impeaching. The concurrence of a majority of all the members elected shall be necessary to an impeachment. All impeachments shall be tried by the Senate, and when sitting for that purpose, the Senators shall be upon oath or affirmation to do justice, according to law and evidence. The Chief Justice of the Supreme Court shall preside over the Senate while sitting to try the Governor or Lieutenant Governor, upon impeachment. No person shall be convicted without the concurrence of two thirds of the Senators elected. ^{Impeachment.} ^{How tried.} ^{Chief Justice to preside.} ^{Conviction.}

SEC. 2. The Governor and other State and judicial officers, except Justices of the Peace, shall be liable to impeachment for misdemeanor or malfeasance in office; but judgment in such case shall not extend further than removal from office, and disqualification to hold any office of honor, profit, or trust under this State. The party, whether convicted or acquitted, shall, nevertheless, be liable to indictment, trial, judgment, and punishment, according to law. ^{Who liable to impeachment.}

SEC. 3. For any reasonable cause, to be entered on the journals of each House, which may or may not be sufficient grounds for impeachment, the Chief Justice and Associate Justices of the Supreme Court and Judges of the District Courts shall be removed from office on the vote of two thirds of the members elected to each branch of the Legislature, and the Justice or Judge complained of shall be served with a copy of the complaint against him, and shall have an opportunity of being heard, in person or by counsel, in his defense; *provided*, that no member of either branch of the Legislature shall be eligible to fill the vacancy occasioned by such removal. ^{Justices of Supreme Court and District Judges may be removed.}

SEC. 4. Provision shall be made by law for the removal from office of any civil officer, other than those in this Article previously specified, for malfeasance or nonfeasance in the performance of his duties. ^{Removal from office of civil officer.}

ARTICLE VIII.

MUNICIPAL AND OTHER CORPORATIONS.

SECTION 1. The Legislature shall pass no special Act in any manner relating to corporate powers, except for municipal purposes, but corporations may be formed under general laws; and all such laws may, from time to time, be altered or repealed. ^{No special legislation.}

SEC. 2. All real property, and possessory rights to the same, as well as personal property in this State, belonging to corporations, ^{Taxation, what subject to.}

rations now existing or hereafter created, shall be subject to taxation the same as property of individuals; *provided*, that the property of corporations formed for municipal, charitable, religious, or educational purposes, may be exempted by law.

Dues may
be secured.

SEC. 3. Dues from corporations shall be secured by such means as may be prescribed by law; *provided*, that corporators in corporations formed under the laws of this State shall not be individually liable for the debts or liabilities of such corporation.

SEC. 4. Corporations created by or under the laws of the Territory of Nevada shall be subject to the provisions of such laws until the Legislature shall pass laws regulating the same, in pursuance of the provisions of this Constitution.

Corpora-
tions may
sue.

SEC. 5. Corporations may sue and be sued in all Courts, in like manner as individuals.

Bank notes
prohibited.

SEC. 6. No bank notes or paper of any kind shall ever be permitted to circulate as money in this State, except the Federal currency and the notes of banks authorized under the laws of Congress.

Right of
way.

SEC. 7. No right of way shall be appropriated to the use of any corporation until full compensation be first made or secured therefor.

Organiza-
tion of
cities and
towns.

SEC. 8. The Legislature shall provide for the organization of cities and towns by general laws, and restrict their powers of taxation, assessment, borrowing money, contracting debts, and loaning their credit, except for procuring supplies of water.

State not
to donate
or loan.

SEC. 9. The State shall not donate or loan money or its credit, subscribe to or be interested in the stock of any company, association, or corporation, except corporations formed for educational or charitable purposes.

County,
etc., not to
become
stockholder

SEC. 10. No county, city, town, or other municipal corporation shall become a stockholder in any joint stock company, corporation, or association whatever, or loan its credit in aid of any such company, corporation, or association, except railroad corporations, companies, or associations.

ARTICLE IX.

FINANCE AND STATE DEBT.

Fiscal year.

SECTION 1. The fiscal year shall commence on the first day of January in each year.

Legislature
to provide
for levying
an annual
tax.

SEC. 2. The Legislature shall provide by law for an annual tax sufficient to defray the estimated expenses of the State for each fiscal year; and whenever the expenses of any year shall exceed the income, the Legislature shall provide for levying a tax sufficient, with other sources of income, to pay the deficiency, as well as the estimated expenses of such ensuing years [year] or two years.

State may
contract
debts.

SEC. 3. For the purpose of enabling the State to transact its business upon a cash basis, from its organization, the State may contract public debts; but such debts shall never, in the aggregate, exclusive of interest, exceed the sum of three hundred thousand dollars, except for the purpose of defraying extraor-

dinary expenses, as hereinafter mentioned. Every such debt shall be authorized by law for some purpose or purposes, to be distinctly specified therein; and every such law shall provide for levying an annual tax sufficient to pay the interest semi-annually, and the principal within twenty years from the passage of such law, and shall specially appropriate the proceeds of said taxes to the payment of said principal and interest; and such appropriation shall not be repealed, nor the taxes be postponed or diminished until the principal and interest of said debts shall have been wholly paid. Every contract of indebtedness entered into or assumed by or on behalf of the State, when all its debts and liabilities amount to said sum before mentioned, shall be void and of no effect, except in cases of money borrowed to repel invasion, suppress insurrection, defend the State in time of war, or, if hostilities be threatened, provide for the public defense.

Restriction
of debt.

Annual
tax.

Proceeds,
how appro-
priated.

When
contract
void.

SEC. 4. The State shall never assume the debts of any county, town, city, or other corporation whatever, unless such debts have been created to repel invasion, suppress insurrection, or to provide for the public defense.

State not
to assume
indebted-
ness.

ARTICLE X.

TAXATION.

SECTION 1. The Legislature shall provide by law for a uniform and equal rate of assessment and taxation, and shall prescribe such regulations as shall secure a just valuation for taxation of all property, real, personal, and possessory, excepting mines and mining claims, the proceeds of which alone shall be taxed, and also excepting such property as may be exempted by law for municipal, educational, literary, scientific, religious, or charitable purposes.

Taxation to
be equal.

ARTICLE XI.

EDUCATION.

SECTION 1. The Legislature shall encourage, by all suitable means, the promotion of intellectual, literary, scientific, mining, mechanical, agricultural, and moral improvements; and, also, provide for the election, by the people, at the general election, of a Superintendent of Public Instruction, whose term of office shall be two years from the first Monday of January, A. D. eighteen hundred and sixty-five, and until the election and the qualification of his successor, and whose duties shall be prescribed by law.

Superin-
tendent,
when
elected.

Term of
office.

SEC. 2. The Legislature shall provide for a uniform system of common schools, by which a school shall be established and maintained in each school district at least six months in every year; and any school district neglecting to establish and maintain such a school, or which shall allow instruction of a sectarian character therein, may be deprived of its proportion of the

School
system to
be uniform.

interest of the Public School Fund during such neglect or infraction, and the Legislature may pass such laws as will tend to secure a general attendance of the children in each school district upon said public schools.

Lands appropriated for educational purposes.

SEC. 3. All lands, including the sixteenth and thirty-sixth sections in every township, donated for the benefit of public schools in the Act of the thirty-eighth Congress, to enable the people of Nevada Territory to form a State Government, the thirty thousand acres of public lands granted by an Act of Congress, approved July second, A. D. eighteen hundred and sixty-two, for each Senator and Representative in Congress, and all proceeds of lands that have been, or may hereafter be, granted or appropriated by the United States to this State, and also the five hundred thousand acres of land granted to the new States under the Act of Congress distributing the proceeds of the public lands among the several States of the Union, approved A. D. eighteen hundred and forty-one; *provided*, that Congress makes provision for, or authorizes such diversion to be made for the purpose herein contained, all estates that may escheat to the State, all of such per cent. as may be granted by Congress on the sale of land, all fines collected under the penal laws of the State, all property given or bequeathed to the State for educational purposes, and all proceeds derived from any or all of said sources, shall be and the same are hereby solemnly pledged for educational purposes, and shall not be transferred to any other fund for other uses; and the interest thereon shall, from time to time, be apportioned among the several counties in proportion to the ascertained numbers of the persons between the ages of six and eighteen years in the different counties, and the Legislature shall provide for the sale of floating land warrants to cover the aforesaid lands, and for the investment of all proceeds derived from any of the above mentioned sources, in United States bonds, or the bonds of this State; *provided*, that the interest only of the aforesaid proceeds shall be used for educational purposes, and any surplus interest shall be added to the principal sum; *and, provided further*, that such portions of said interest as may be necessary may be appropriated for the support of the State University.

Sale, how made.

Proviso.

University.

SEC. 4. The Legislature shall provide for the establishment of a State University, which shall embrace departments for agriculture, mechanic arts, and mining, to be controlled by a Board of Regents, whose duties shall be prescribed by law.

Normal Schools.

SEC. 5. The Legislature shall have power to establish Normal Schools, and such different grades of schools, from the primary department to the University, as in their discretion they may deem necessary, and all professors in said University, or teachers in said schools, of whatever grade, shall be required to take and subscribe to the oath as prescribed in Article XV of this Constitution. No professor or teacher who fails to comply with the provisions of any law framed in accordance with the provisions of this section, shall be entitled to receive any portion of the public moneys set apart for school purposes.

Special tax.

SEC. 6. The Legislature shall provide a special tax of one half of one mill on the dollar of all taxable property in the State, in addition to the other means provided for the support

and maintenance of said University and common schools; *provided*, that at the end of ten years they may reduce said tax to one quarter of one mill on each dollar of taxable property.

SEC. 7. The Governor, Secretary of State, and Superintendent of Public Instruction shall, for the first four years, and until their successors are elected and qualified, constitute a Board of Regents, to control and manage the affairs of the University, and the funds of the same, under such regulations as may be provided by law. But the Legislature shall, at its regular session next preceding the expiration of the term of office of said Board of Regents, provide for the election of a new Board of Regents, and define their duties. Regents.

SEC. 8. The Board of Regents shall, from the interest accruing from the first funds which come under their control, immediately organize and maintain the said mining department in such manner as to make it most effective and useful; *provided*, that all the proceeds of the public lands donated by Act of Congress, approved July second, A. D. eighteen hundred and sixty-two, for a college for the benefit of agriculture, the mechanic arts, and including military tactics, shall be invested by the said Board of Regents in a separate fund, to be appropriated exclusively for the benefit of the first named departments to the University, as set forth in section four above, and the Legislature shall provide that if, through neglect or any other contingency, any portion of the fund so set apart shall be lost or misappropriated, the State of Nevada shall replace said amount so lost or misappropriated in said fund, so that the principal of said fund shall remain forever undiminished. Duties of Regents.

SEC. 9. No sectarian instruction shall be imparted or tolerated in any school or University that may be established under this Constitution. Sectarianism prohibited.

ARTICLE XII.

MILITIA.

SECTION 1. The Legislature shall provide by law for organizing and disciplining the militia of this State, for the effectual encouragement of volunteer corps, and the safe keeping of the public arms. Organization of militia.

SEC. 2. The Governor shall have power to call out the militia to execute the laws of the State, or to suppress insurrection or repel invasion. Power to call out.

ARTICLE XIII.

PUBLIC INSTITUTIONS.

SECTION 1. Institutions for the benefit of the insane, blind, and deaf and dumb, and such other benevolent institutions as the public good may require, shall be fostered and supported by the State, subject to such regulations as may be prescribed by law. Benevolent institutions to be fostered.

SEC. 2. A State Prison shall be established and maintained in such manner as may be prescribed by law, and provision State Prison.

may be made by law for the establishment and maintenance of a House of Refuge for juvenile offenders.

Counties to
provide for
aged and
infirm.

SEC. 3. The respective counties of the State shall provide, as may be prescribed by law, for those inhabitants who, by reason of age and infirmity, or misfortunes, may have claim upon the sympathy and aid of society.

ARTICLE XIV.

BOUNDARY.

Boundary.

SECTION 1. The boundary of the State of Nevada shall be as follows: Commencing at a point formed by the intersection of the thirty-eighth degree of longitude west from Washington with the thirty-seventh degree of north latitude; thence due west along said thirty-seventh degree of north latitude to the eastern boundary line of the State of California; thence in a northwesterly direction along the said eastern boundary line of the State of California to the forty-third degree of longitude west from Washington; thence north along said forty-third degree of west longitude and said eastern boundary line of the State of California to the forty-second degree of north latitude; thence due east along the said forty-second degree of north latitude to a point formed by its intersection with the aforesaid thirty-eighth degree of longitude west from Washington; thence due south down said thirty-eighth degree of west longitude to the place of beginning. And whensoever Congress shall authorize the addition to the Territory or State of Nevada of any portion of the territory on the easterly border of the foregoing defined limits, not exceeding in extent one degree of longitude, the same shall thereupon be embraced within and become a part of this State. *And, furthermore provided*, that all such territory lying west of and adjoining the boundary line herein prescribed, which the State of California may relinquish to the Territory or State of Nevada, shall thereupon be embraced within and constitute a part of this State.

Addition
may be
made.

ARTICLE XV.

MISCELLANEOUS PROVISIONS.

Seat of
Govern-
ment.

SECTION 1. The seat of government shall be at Carson City; but no appropriation for the erection or purchase of capitol buildings shall be made during the next three years.

SEC. 2. Members of the Legislature, and all officers, executive, judicial, and ministerial, shall, before they enter upon the duties of their respective offices, take and subscribe to the following oath or affirmation:

Oath of
office.

"I, —, do solemnly swear (or affirm) that I will support, protect, and defend the Constitution and Government of the United States, and the Constitution and Government of the State of Nevada, against all enemies, whether domestic or for-

sign; and that I will bear true faith, allegiance, and loyalty to the same, any ordinance, resolution, or law of any State, Convention, or Legislature to the contrary notwithstanding; and, further, that I do this with a full determination, pledge, and purpose, without any mental reservation or evasion whatsoever. And I do further solemnly swear (or affirm) that I have not fought a duel, nor sent or accepted a challenge to fight a duel, nor been a second to either party, nor in any manner aided or assisted in such duel, nor been knowingly the bearer of such challenge or acceptance, since the adoption of the Constitution of the State of Nevada, and that I will not be so engaged or concerned, directly or indirectly, in or about any such duel, during my continuance in office. And, further, that I will well and faithfully perform all the duties of the office of —, on which I am about to enter; (if an oath,) so help me God; (if an affirmation,) under the pains and penalties of perjury."

SEC. 3. No person shall be eligible to any office who is not a qualified elector under this Constitution. No person who, while a citizen of this State, has, since the adoption of this Constitution, fought a duel with a deadly weapon, sent or accepted a challenge to fight a duel with a deadly weapon, either within or beyond the boundaries of this State, or who has acted as second, or knowingly conveyed a challenge, or aided or assisted in any manner in fighting a duel, shall be allowed to hold any office of honor, profit, or trust, or enjoy the right of suffrage under this Constitution. The Legislature shall provide by law for giving force and effect to this section.

Who not eligible to office.

SEC. 4. No perpetuities shall be allowed except for eleemosynary purposes.

Perpetuities.

SEC. 5. The general election shall be held on the Tuesday next after the first Monday of November.

General election.

SEC. 6. The aggregate number of members of both branches of the Legislature shall never exceed seventy-five.

Number of members restricted.

SEC. 7. All county officers shall hold their offices at the county seat of their respective counties.

Offices, where held.

SEC. 8. The Legislature shall provide for the speedy publication of all statute laws of a general nature, and such decisions of the Supreme Court as it may deem expedient; and all laws and judicial decisions shall be free for publication by any person; *provided*, that no judgment of the Supreme Court shall take effect and be operative until the opinion of the Court in such case shall be filed with the Clerk of said Court.

Publication of laws, etc.

SEC. 9. The Legislature may, at any time, provide by law for increasing or diminishing the salaries or compensation of any of the officers whose salary or compensation is fixed in this Constitution; *provided*, no such change of salary or compensation shall apply to any officer during the term for which he may have been elected.

Salaries may be increased or diminished.

SEC. 10. All officers, whose election or appointment is not otherwise provided for, shall be chosen or appointed as may be prescribed by law.

Officers, how chosen.

SEC. 11. The tenure of any office, not herein provided for,

Tenure of office may be declared may be declared by law; or, when not so declared, such office shall be held during the pleasure of the authority making the appointment; but the Legislature shall not create any office, the tenure of which shall be longer than four years, except as herein otherwise provided in this Constitution.

State offices, where held. SEC. 12. The Governor, Secretary of State, State Treasurer, State Controller, and Clerk of the Supreme Court, shall keep their respective offices at the seat of government.

Enumeration of inhabitants to be taken. SEC. 13. The enumeration of the inhabitants of this State shall be taken under the direction of the Legislature, if deemed necessary, in A. D. eighteen hundred and sixty-five; A. D. eighteen hundred and sixty-seven; A. D. eighteen hundred and seventy-five, and every ten years thereafter; and these enumerations, together with the census that may be taken under the direction of the Congress of the United States in A. D. eighteen hundred and seventy, and every subsequent ten years, shall serve as the basis of representation in both Houses of the Legislature.

Plurality of vote to constitute choice. SEC. 14. A plurality of votes given at an election by the people shall constitute a choice, where not otherwise provided by this Constitution.

ARTICLE XVI.

AMENDMENTS.

Amendment, how made. SECTION 1. Any amendment or amendments to this Constitution may be proposed in the Senate or Assembly; and if the same shall be agreed to by a majority of all the members elected to each of the two Houses, such proposed amendment or amendments shall be entered on their respective journals, with the yeas and nays taken thereon, and referred to the Legislature then next to be chosen, and shall be published for three months next preceding the time of making such choice. And if, in the Legislature next chosen, as aforesaid, such proposed amendment or amendments shall be agreed to by a majority of all the members elected to each House, then it shall be the duty of the Legislature to submit such proposed amendment or amendments to the people, in such manner and at such time as the Legislature shall prescribe; and if the people shall approve and ratify such amendment or amendments by a majority of the electors qualified to vote for members of the Legislature voting thereon, such amendment or amendments shall become a part of the Constitution.

Revision of Constitution. SEC. 2. If, at any time, the Legislature, by a vote of two thirds of the members elected to each House, shall determine that it is necessary to cause a revision of this entire Constitution, they shall recommend to the electors, at the next election for members of the Legislature, to vote for or against a Convention; and if it shall appear that a majority of the electors voting at such election shall have voted in favor of calling a Convention, the Legislature shall, at its next session, provide by law for calling a Convention, to be holden within six months after the passage of such law; and such Convention shall consist of a number of members not less than that of both

Convention.

branches of the Legislature. In determining what is a majority of the electors voting at such election, reference shall be had to the highest number of votes cast at such election for the candidates for any office or on any question.

Majority of electors.

ARTICLE XVII.

SCHEDULE.

SECTION 1. That no inconvenience may arise by reason of a change from a Territorial to a permanent State government, it is declared that all rights, actions, prosecutions, judgments, claims, and contracts, as well of individuals as of bodies corporate, including counties, towns, and cities, shall continue as if no change had taken place; and all process which may issue under the authority of the Territory of Nevada previous to its admission into the Union as one of the United States, shall be as valid as if issued in the name of the State of Nevada.

Rights, etc., to continue.

SEC. 2. All laws of the Territory of Nevada, in force at the time of the admission of this State, not repugnant to this Constitution, shall remain in force until they expire by their own limitations, or be altered or repealed by the Legislature.

Laws to remain in force.

SEC. 3. All fines, penalties, and forfeitures, accruing to the Territory of Nevada, or to the people of the United States in the Territory of Nevada, shall inure to the State of Nevada.

Fines, etc., to inure to the State.

SEC. 4. All recognizances heretofore taken, or which may be taken before the change from a Territorial to a State government, shall remain valid, and shall pass to and may be prosecuted in the name of the State; and all bonds executed to the Governor of the Territory, or to any other officer or Court in his or their official capacity, or to the people of the United States in the Territory of Nevada, shall pass to the Governor or other officer or Court, and his or their successors in office, for the uses therein respectively expressed, and may be sued on, and recovery had accordingly; and all property, real, personal, or mixed, and all judgments, bonds, specialties, choses in action, claims, and debts, of whatsoever description, and all records and public archives of the Territory of Nevada, shall issue to and vest in the State of Nevada, and may be sued for and recovered in the same manner, and to the same extent, by the State of Nevada, as the same could have been by the Territory of Nevada. All criminal prosecutions and penal actions which may have arisen, or which may arise before the change from a Territorial to a State government, and which shall then be pending, shall be prosecuted to judgment and execution in the name of the State. All offenses committed against the laws of the Territory of Nevada before the change from a Territorial to a State government, and which shall not be prosecuted before such change, may be prosecuted in the name and by the authority of the State of Nevada, with like effect as though such change had not taken place, and all penalties incurred shall remain the same as if this Constitution had not been adopted. All actions at law, and suits in equity, and other legal proceedings which may be pending in any of the Courts

Recognizances to remain valid.

Bonds may be sued on.

Property, records, etc., of Territory to vest in State.

Criminal prosecutions.

Offenses committed against laws of Territory.

Actions,
etc., to be
continued.

of the Territory of Nevada at the time of the change from a Territorial to a State government, may be continued and transferred to and determined by any Court of the State which shall have jurisdiction of the subject matter thereof. *All actions at law, and suits in equity, and all other legal proceedings which may be pending in any of the Courts of the Territory of Nevada at the time of the change from a Territorial to a State government, shall be continued and transferred to, and may be prosecuted to judgment and execution in any Court of the State which shall have jurisdiction of the subject matter thereof; and all books, papers, and records, relating to the same, shall be transferred in like manner to such Court.*

Salaries of
officers.

SEC. 5. For the first term of office succeeding the formation of a State Government, the salary of the Governor shall be four thousand dollars per annum; the salary of the Secretary of State shall be three thousand six hundred dollars per annum; the salary of the State Controller shall be three thousand six hundred dollars per annum; the salary of the State Treasurer shall be three thousand six hundred dollars per annum; the salary of the Surveyor General shall be one thousand dollars per annum; the salary of the Attorney General shall be two thousand five hundred dollars per annum; the salary of the Superintendent of Public Instruction shall be two thousand dollars per annum; the salary of each Judge of the Supreme Court shall be seven thousand dollars per annum; the salaries of the foregoing officers shall be paid quarterly out of the State Treasury. The pay of State Senators and members of Assembly shall be eight dollars per day for each day of actual service, and forty cents per mile for mileage going to and returning from the place of meeting. No officer mentioned in this section shall receive any fee or perquisites to his own use for the performance of any duty connected with his office, or for the performance of any additional duty imposed upon him by law.

Pay of
Senators
and Assem-
blymen.

Officers not
to receive
perquisites.

Apportion-
ment of
Senators
and Assem-
blymen.

SEC. 6. Until otherwise provided by law, the apportionment of Senators and Assemblymen in the different counties shall be as follows, to wit: Storey County, four Senators and twelve Assemblymen; Douglas County, one Senator and two Assemblymen; Esmeralda County, two Senators and four Assemblymen; Humboldt County, two Senators and three Assemblymen; Lander County, two Senators and four Assemblymen; Lyon County, one Senator and three Assemblymen; Lyon and Churchill Counties, one Senator, jointly; Churchill County, one Assemblyman; Nye County, one Senator and one Assemblyman; Ormsby County, two Senators and three Assemblymen; Washoe and Roop Counties, two Senators and three Assemblymen.

Territorial
indebted-
ness
assumed.

SEC. 7. All debts and liabilities of the Territory of Nevada, lawfully incurred, and which remain unpaid at the time of the admission of this State into the Union, shall be assumed by and become the debt of the State of Nevada; *provided*, that the assumption of such indebtedness shall not prevent the State from contracting the additional indebtedness, as provided in section three of Article IX of this Constitution.

Term of
State
officers.

SEC. 8. The term of State officers (except judicial) elected at the first election under this Constitution, shall continue until

the Tuesday after the first Monday of January, A. D. eighteen hundred and sixty-seven, and until the election and qualification of their successors.

SEC. 9. The Senators to be elected at the first election under this Constitution shall draw lots, so that the term of one half of the number, as nearly as may be, shall expire on the day succeeding the general election in A. D. eighteen hundred and sixty-six, and the term of the other half shall expire on the day succeeding the general election in A. D. eighteen hundred and sixty-eight; *provided*, that in drawing lots for all Senatorial terms, the Senatorial representation shall be allotted so that in the counties having two or more Senators, the terms thereof shall be divided, as nearly as may be, between the long and short terms. Term of
Senators.

SEC. 10. At the general election in A. D. eighteen hundred and sixty-six, and thereafter, the term of Senators shall be for four years from the day succeeding such general election, and members of Assembly for two years from the day succeeding such general election; and the terms of Senators shall be allotted by the Legislature in long and short terms, as hereinbefore provided, so that one half the number, as nearly as may be, shall be elected every two years. Term of
Senators
fixed.

SEC. 11. The term of the members of the Assembly elected at the first general election under this Constitution, shall expire on the day succeeding the general election in A. D. eighteen hundred and sixty-five; and the terms of those elected at the general election in A. D. eighteen hundred and sixty-five shall expire on the day succeeding the general election in A. D. eighteen hundred and sixty-six. Term of
Assembly-
men.

SEC. 12. The first regular session of the Legislature shall commence on the second Monday of December, A. D. eighteen hundred and sixty-four, and the second regular session of the same shall commence on the first Monday of January, A. D. eighteen hundred and sixty-six, and the third regular session of the Legislature shall be the first of the biennial sessions, and shall commence on the first Monday of January, A. D. eighteen hundred and sixty-seven, and the regular sessions of the Legislature shall be held thereafter biennially, commencing on the first Monday of January. Sessions of
Legisla-
ture.

SEC. 13. All county officers under the laws of the Territory of Nevada, at the time when the Constitution shall take effect, whose offices are not inconsistent with the provisions of this Constitution, shall continue in office until the first Monday of January, A. D. eighteen hundred and sixty-seven, and until their successors are elected and qualified; and all township officers shall continue in office until the expiration of their terms of office, and until their successors are elected and qualified; *provided*, that the Probate Judges of the several counties respectively shall continue in office until the election and qualification of the District Judges of the several counties or judicial districts; *and, provided further*, that the term of office of the present county officers of Lander County shall expire on the first Monday of January, A. D. eighteen hundred and sixty-five, except the Probate Judge of said county, whose term of office shall expire upon the first Monday of December, A. D. eighteen County
officers
continued
in office.
Township
officers.
Proviso.
County
officers of
Lander
County.

hundred and sixty-four; and there shall be an election for county officers of Lander County at the general election in November, A. D. eighteen hundred and sixty-four, and the officers then elected shall hold office from the first Monday of January, A. D. eighteen hundred and sixty-five, until the first Monday of January, A. D. eighteen hundred and sixty-seven, and until their successors are elected and qualified.

Territorial officers continued in office until time for qualification of State officers.

SEC. 14. The Governor, Secretary, Treasurer, and Superintendent of Public Instruction of the Territory of Nevada shall each continue to discharge the duties of their respective offices after the admission of this State into the Union, and until the time designated for the qualification of the above named officers to be elected under the State Government; and the Territorial Auditor shall continue to discharge the duties of his said office until the time appointed for the qualification of the State Controller; *provided*, that the said officers shall each receive the salaries and be subject to the restrictions and conditions provided in this Constitution; *and, provided further*, that none of them shall receive to his own use any fees or perquisites for the performance of any duty connected with his office.

Terms of Courts determined.

SEC. 15. The terms of the Supreme Court shall, until provision be made by law, be held at such times as the Judges of the said Court, or a majority of them, may appoint. The first terms of the several District Courts (except as hereinafter mentioned), shall commence on the first Monday of December, A. D. eighteen hundred and sixty-four. The first term of the District Court in the Fifth Judicial District shall commence on the first Monday of December, A. D. eighteen hundred and sixty-four, in the County of Nye, and shall commence on the first Monday of January, A. D. eighteen hundred and sixty-five, in the County of Churchill. The terms of the Fourth Judicial District Court shall, until otherwise provided by law, be held at the county seat of Washoe County, and the first term thereof commence on the first Monday of December, A. D. eighteen hundred and sixty-four.

Salaries of District Judges.

SEC. 16. The Judges of the several District Courts of this State shall be paid, as hereinbefore provided, salaries, at the following rates per annum: First Judicial District (each Judge), six thousand dollars; Second Judicial District, four thousand dollars; Third Judicial District, five thousand dollars; Fourth Judicial District, five thousand dollars; Fifth Judicial District, thirty-six hundred dollars; Sixth Judicial District, four thousand dollars; Seventh Judicial District, six thousand dollars; Eighth Judicial District, thirty-six hundred dollars; Ninth Judicial District, five thousand dollars.

Salary of District Judge may be changed.

SEC. 17. The salary of any Judge in said Judicial Districts may, by law, be altered or changed, subject to the provisions contained in this Constitution.

State officers, when to qualify.

SEC. 18. The Governor, Lieutenant Governor, Secretary of State, State Treasurer, State Controller, Attorney General, Surveyor General, Clerk of the Supreme Court, and Superintendent of Public Instruction, to be elected at the first election under this Constitution, shall each qualify and enter upon the duties of their respective offices, on the first Monday of December succeeding their election, and shall continue in office until the

first Tuesday after the first Monday of January, A. D. eighteen hundred and sixty-seven, and until the election and qualification of their successors, respectively. Expiration of term.

SEC. 19. The Judges of the Supreme Court, and District Judges, to be elected at the first election under this Constitution, shall qualify and enter upon the duties of their respective offices on the first Monday of December succeeding their election. Judges, when to qualify.

SEC. 20. All officers of State, and District Judges, first elected under this Constitution, shall be commissioned by the Governor of this Territory, which commission shall be countersigned by the Secretary of the same, and shall qualify before entering upon the discharge of their duties, before any officer authorized to administer oaths under the laws of this Territory; and, also, the State Controller and State Treasurer shall each respectively, before they qualify and enter upon the discharge of their duties, execute and deliver to the Secretary of the Territory of Nevada an official bond, made payable to the people of the State of Nevada, in the sum of thirty thousand dollars, to be approved by the Governor of the Territory of Nevada; and shall also execute and deliver to the Secretary of State such other or further official bond or bonds as may be required by law. Officers to be commissioned by the Governor.
Controller and Treasurer to execute bond.

SEC. 21. Each county, town, city, and incorporated village, shall make provision for the support of its own officers, subject to such regulations as may be prescribed by law. Support of county, town, city, and village officers.

SEC. 22. In case the office of any Justice of the Supreme Court, District Judge, or other State officer, shall become vacant before the expiration of the regular term for which he was elected, the vacancy may be filled by appointment by the Governor until it shall be supplied at the next general election, when it shall be filled by election for the residue of the unexpired term. Vacancy in office of Justice of Supreme Court, District Judge, or other State officer, how filled.

SEC. 23. All cases, both civil and criminal, which may be pending and undetermined in the Probate Courts of the several counties at the time when, under the provisions of this Constitution, said Probate Courts are to be abolished, shall be transferred to and determined by the District Courts of such counties, respectively. Cases in Probate Courts to be transferred to District Courts.

SEC. 24. For the first three years after the adoption of this Constitution, the Legislature shall not levy a tax for State purposes exceeding one per cent. per annum on the taxable property in the State; *provided*, the Legislature may levy a special tax not exceeding one fourth of one per cent. per annum, which shall be appropriated to the payment of the indebtedness of the Territory of Nevada assumed by the State of Nevada, and for that purpose only, until all of said indebtedness is paid. Taxation restricted.

SEC. 25. The County of Roop shall be attached to the County of Washoe for judicial, legislative, revenue, and county purposes, until otherwise provided by law. Roop and Washoe Counties.

SEC. 26. At the first regular session of the Legislature, to convene under the requirements of this Constitution, provision shall be made by law for paying for the publication of six hundred copies of the debates and proceedings of this Convention, in book form, to be disposed of as the Legislature may direct; Provision for publication of debates, etc.

Payment
official
reporter.

Compensa-
tion.

and the Hon. J. Neely Johnson, President of this Convention, shall contract for, and A. J. Marsh, official reporter of this Convention, under the direction of the President, shall supervise the publication of such debates and proceedings. Provision shall be made by law, at such first session of the Legislature, for the compensation of the official reporter of this Convention, and he shall be paid in coin or its equivalent. He shall receive for his services, in reporting the debates and proceedings, fifteen dollars per day during the session of the Convention, and seven and one half dollars additional for each evening session, and thirty cents per folio of one hundred words for preparing the same for publication; and for supervising and indexing such publication, the sum of fifteen dollars per day during the time actually engaged in such service.

ELECTION ORDINANCE.

Election
ordinance.

WHEREAS, The Enabling Act passed by Congress, and approved March twenty-first, A. D. eighteen hundred and sixty-four, requires that the Convention charged with the duty of framing a Constitution for a State Government "shall provide by ordinance for submitting said Constitution to the people of the Territory of Nevada, for their ratification or rejection," on a certain day prescribed therein; therefore, this Convention, organized in pursuance of said Enabling Act, do establish the following

ORDINANCE:

Governor
to issue
proclama-
tion for
submission
of Consti-
tution.

SECTION 1. The Governor of the Territory of Nevada is hereby authorized to issue his proclamation for the submission of this Constitution to the people of said Territory, for their approval or rejection, on the day provided for such submission by Act of Congress; and this Constitution shall be submitted to the qualified electors of said Territory, in the several counties thereof, for their approval or rejection, at the time provided by such Act of Congress; and further, on the first Tuesday after the first Monday of November, A. D. eighteen hundred and sixty-four, there shall be a general election in the several counties of said Territory for the election of State officers, Supreme and District Judges, members of the Legislature, Representative in Congress, and three Presidential Electors.

Qualified
voters.

SEC. 2. All persons, qualified by the laws of said Territory to vote for Representatives to the General Assembly, on the said twenty-first day of March, including those in the army of the United States, both within and beyond the boundaries of said Territory, and also all persons who may, by the aforesaid laws, be qualified to vote on the first Wednesday of September, A. D. eighteen hundred and sixty-four, including those in the aforesaid army of the United States, within and without the boundaries of said Territory, may vote for the adoption or rejection of said Constitution, on the day last above named. In voting upon this Constitution, each elector shall deposit in the ballot box a ticket, whereon shall be clearly written or

printed, "Constitution—Yes," or "Constitution—No;" or such other words that shall clearly indicate the intention of the elector.

SEC. 3. All persons qualified by the laws of said Territory ^{What officers may be voted for.} to vote on the Tuesday after the first Monday of November, A. D. eighteen hundred and sixty-four, including those in the army of the United States, within and beyond the boundaries of said Territory, may vote on the day last above named, for State officers, Supreme and District Judges, members of the Legislature, Representative in Congress, and three Presidential Electors to the Electoral College.

SEC. 4. The elections provided in this ordinance shall be ^{How election to be conducted.} holden at such places as shall be designated by the Boards of Commissioners of the several counties in said Territory. The Judges and Inspectors of said election shall be appointed by said Commissioners, and the said elections shall be conducted in conformity with the existing laws of said Territory in relation to holding the general election.

SEC. 5. The Judges and Inspectors of said elections shall ^{Returns, how made.} carefully count each ballot immediately after said elections, and forthwith make duplicate returns thereof to the clerks of the said County Commissioners of their respective counties; and said clerks, within fifteen days after said elections, shall transmit an abstract of the votes, including the soldiers' vote, as herein provided, given for State officers, Supreme and District Judges, Representative in Congress, and three Presidential Electors, inclosed in an envelope, by the most safe and expeditious conveyance, to the Governor of said Territory, marked "Election Returns."

SEC. 6. Upon the receipt of said returns, including those of the soldiers' vote, or within twenty days after the election, if said returns be not sooner received, it shall be the duty of the Board of Canvassers, to consist of the Governor, United States District Attorney, and Chief Justice of said Territory, or any two of them, to canvass the returns in the presence of all who may wish to be present; and if a majority of all the votes given upon this Constitution shall be in its favor, the said Governor shall immediately publish an abstract of the same, and make ^{Board of Canvassers.} proclamation of the fact, in some newspaper in said Territory, and certify the same to the President of the United States, together with a copy of the Constitution and Ordinance. The said Board of Canvassers, after canvassing the votes of the said November elections, shall issue certificates of election to such persons as were elected State officers, Judges of the Supreme and District Courts, Representative in Congress, and three Presidential Electors. When the President of the United States shall issue his proclamation declaring this State admitted into the Union on an equal footing with the original States, this Constitution shall thenceforth be ordained and established as the Constitution of the State of Nevada. ^{Governor to publish abstract of votes, and issue proclamation.}

SEC. 7. For the purpose of taking the vote of the electors of said Territory who may be in the army of the United States, the Adjutant General of said Territory shall, on or before the ^{Constitution established} ^{Votes for soldiers, how taken.}

fifth day of August next following, make out a list, in alphabetical order, and deliver the same to the Governor, of the names of all the electors, residents of said Territory, who shall be in the army of the United States, stating the number of the regiment, battalion, squadron, or battery, to which he belongs, and also the county or township of his residence in said Territory.

Governor to
classify
return lists.

SEC. 8. The Governor shall classify and arrange the afore-said return list, and shall make therefrom separate lists of the electors belonging to each regiment, battalion, squadron, and battery from said Territory, in the service of the United States, and shall, on or before the fifteenth day of August following, transmit, by mail or otherwise, to the commanding officer of each regiment, battalion, squadron, and battery, a list of electors belonging thereto, which said list shall specify the name, residence, and rank of each elector, and the company to which he belongs, if to any, and also the county and township to which he belongs, and in which he is entitled to vote.

Time of
holding
election.

Under
whose
direction.

SEC. 9. Between the hours of nine o'clock A. M. and three o'clock P. M., on each of the election days hereinbefore named, a ballot box, or suitable receptacle for votes, shall be opened, under the immediate charge and direction of three of the highest officers in command, for the reception of votes from the electors whose names are upon said list, at each place where a regiment, battalion, squadron, or battery of soldiers from said Territory, in the Army of the United States, may be on that day; at which time and place said electors shall be entitled to vote for all officers for which, by reason of their residence in the several counties in said Territory, they are authorized to vote, as fully as they would be entitled to vote in the several counties or townships in which they reside, and the votes so given by such electors, at such time and place, shall be considered, taken, and held to have been given by them in the respective counties and townships in which they are resident.

Ballot,
what to
contain.

SEC. 10. Each ballot deposited for the adoption or rejection of this Constitution, in the Army of the United States, shall have distinctly written or printed thereon "Constitution, Yes," or "Constitution, No," or words of a similar import; and, further, for the election of State officers, Supreme and District Judges, members of the Legislature, Representative in Congress, and three Presidential Electors, the name and office of the person voted for shall be plainly written or printed on one piece of paper. The name of each elector voting, as aforesaid, shall be checked upon the said list, at the time of voting, by one of the said officers having charge of the ballot box. The said officers having charge of the election shall count the votes and compare them with the checked list immediately after the closing of the ballot box.

Officers'
duty.

Returns,
when and
where to be
made.

SEC. 11. All the ballots cast, together with the said voting list checked as aforesaid, shall be immediately sealed up and sent forthwith to the Governor of said Territory, at Carson City, by mail or otherwise, by the commanding officer, who shall make out and certify duplicate returns of votes given, according to the forms hereinafter prescribed, seal up and immediately transmit the same to the said Governor, at Carson City,

by mail or otherwise, the day following the transmission of the ballots and the voting list herein named. The said commanding officer shall also immediately transmit to the several County Clerks in said Territory an abstract of the votes given at the general election in November, for county officers, marked "Election Returns."

SEC. 12. The form of return of votes to be made by the commanding officer to the Governor and County Clerks of said Territory shall be in substance as follows; viz: Form of returns.

Returns of soldiers' votes in the (here insert the regiment, detachment, battalion, squadron, or battery.)

(For first election—on the Constitution.)

I, ———, hereby certify that on the first Wednesday in September, A. D. eighteen hundred and sixty-four, the electors belonging to the (here insert the name of the regiment, detachment, battalion, squadron, or battery), cast the following number of votes for and against the Constitution for the State of Nevada, viz:

For Constitution—(number of votes written in full and in figures.)

Against Constitution—(number of votes written in full and in figures.)

(Second election—for State and other officers.)

I, ———, hereby certify that on the first Tuesday after the first Monday in November, A. D. eighteen hundred and sixty-four, the electors belonging to the (here insert as above), cast the following number of votes for the several officers and persons hereinafter named, viz:

For Governor—(names of persons voted for, number of votes for each person voted for, written in full, and also in figures, against the name of each person.)

For Lieutenant Governor—(names of candidates, number of votes cast for each, written out and in figures, as above.)

Continue as above till the list is completed.

Attest: I. A. B.,
Commanding officer of the (here insert regiment, detachment, battalion, squadron, or battery, as the case may be.)

SEC. 13. The Governor of this Territory is requested to furnish each commanding officer, within and beyond the boundaries of said Territory, proper and sufficient blanks for said returns. Blank returns to be furnished.

SEC. 14. The provisions of this Ordinance in regard to the soldiers' vote shall apply to future elections under this Constitution, and be in full force until the Legislature shall provide by law for taking the votes of citizens of said Territory in the Army of the United States. Provisions to apply to future elections.

Done in Convention, at Carson City, the twenty-eighth day of July, in the year of our Lord one thousand eight hundred and sixty-four, and of the Independence of the United States the eighty-ninth, and signed by the Delegates.

J. NEELY JOHNSON,

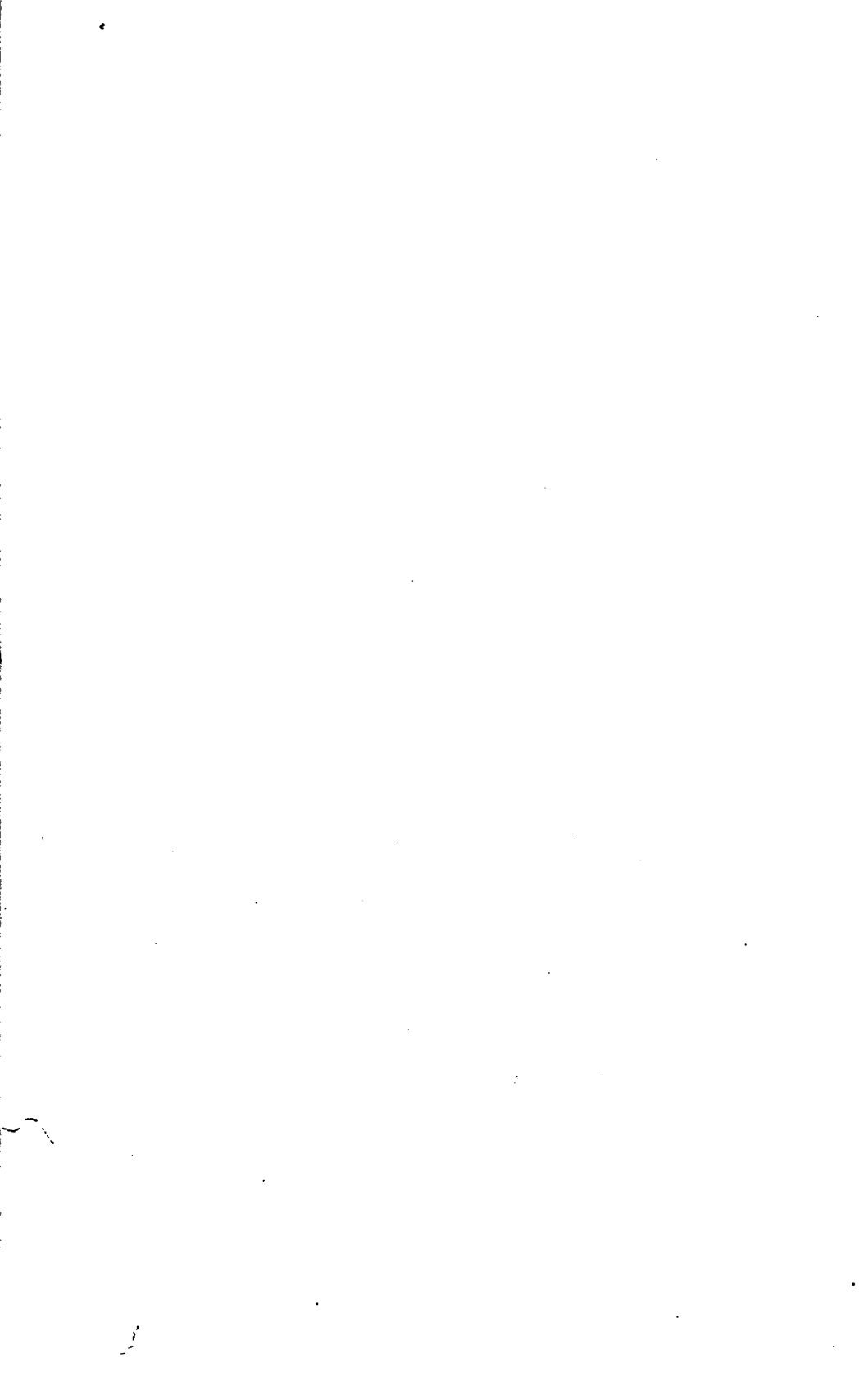
President of the Convention, and Delegate from Ormsby County.

WM. M. GILLESPIE, Secretary.

Delegates
to Conven-
tion.

Henry B. Brady.....Delegate from Washoe County.
E. F. Dunne.....Delegate from Humboldt County.
J. G. McClinton.....Delegate from Esmeralda County.
G. N. Folsom.....Delegate from Washoe County.
F. H. Kennedy.....Delegate from Lyon County.
W. W. Belden.....Delegate from Washoe County.
F. M. Proctor.....Delegate from Nye County.
Albert T. Hawley.....Delegate from Douglas County.
Geo. L. Gibson.....Delegate from Ormsby County.
F. Tagliabue.....Delegate from Nye County.
Wm. Wetherill.....Delegate from Esmeralda County.
Jno. A. Collins.....Delegate from Storey County.
Jas. A. Banks.....Delegate from Humboldt County.
J. S. Crosman.....Delegate from Lyon County.
Sam'l A. Chapin.....Delegate from Storey County.
C. M. Brosnan.....Delegate from Storey County.
John H. Kinkead.....Delegate from Ormsby County.
Geo. A. Hudson.....Delegate from Lyon County.
Israel Crawford.....Delegate from Ormsby County.
A. J. Lockwood.....Delegate from Ormsby County.
H. G. Parker.....Delegate from Lyon County.
J. H. Warwick.....Delegate from Lander County.
C. E. DeLong.....Delegate from Storey County.
Lloyd Frizell.....Delegate from Storey County.
Geo. A. Nourse.....Delegate from Washoe County.
B. S. Mason.....Delegate from Esmeralda County.
Almon Hovey.....Delegate from Storey County.
Thomas Fitch.....Delegate from Storey County.
J. W. Haines.....Delegate from Douglas County.

LIST OF OFFICERS.



LIST OF OFFICERS.

NAMES AND RESIDENCES OF STATE OFFICERS, JUSTICES OF THE
SUPREME COURT, SENATORS, ASSEMBLYMEN, PRESIDING
OFFICERS, AND OFFICERS OF BOTH HOUSES IN
OFFICE AT THE TIME OF THE PASSAGE
OF THE LAWS CONTAINED IN
THIS VOLUME.

EXECUTIVE DEPARTMENT.

Name.	Position.	Residence.
L. R. Bradley	Governor	Carson City.
Crittenden Thornton	Private Secretary	Carson City.
Jewett W. Adams	Lieutenant Governor	Carson City.
John R. Kittrell	Attorney General	Carson City.
James D. Minor	Secretary of State	Carson City.
Charles Martin	Deputy Secretary of State	Carson City.
W. W. Hobart	State Controller	Carson City.
Theodore A. Hale	Deputy State Controller	Carson City.
Jerry Schooling	State Treasurer	Carson City.
M. L. Yager	Deputy State Treasurer	Carson City.
John Day	Surveyor General	Carson City.
S. H. Day	Deputy Surveyor General	Carson City.
Samuel P. Kelly	Superintendent of Public Instruction	Carson City.
John J. Hill	State Printer	Carson City.
H. R. Whitehill	State Mineralogist	Carson City.
John I. Ginn	Clerk in State Library	Carson City.

JUDICIAL DEPARTMENT.

Name.	Position.	Residence.
Thomas P. Hawley	Chief Justice	Carson City.
William H. Beatty	Associate Justice	Carson City.
Warner Earl	Associate Justice	Carson City.
Charles F. Bicknell	Clerk	Carson City.

LEGISLATIVE DEPARTMENT.

SENATE—OFFICERS.

Name.	Position.	Residence.
Jewett W. Adams.....	President ex officio.....	Carson City.
C. C. Stevenson.....	President pro tem.....	Gold Hill.
C. N. Noteware.....	Secretary.....	Carson City.
J. K. Everett.....	Assistant Secretary.....	Reno.
Delle Crandelle.....	Engrossing Clerk.....	Carson City.
William H. Hill.....	Minute Clerk.....	Silver City.
E. B. Pixley.....	Enrolling Clerk.....	Carson City.
R. R. Parkinson.....	Journal Clerk.....	Carson City.
J. J. Linn.....	Copying Clerk.....	Carson City.
G. C. White.....	Copying Clerk.....	Aurora.
F. H. Hart.....	Chief Committee Clerk.....	Austin.
J. J. Atchison.....	Committee Clerk.....	Virginia City.
Israel Crawford.....	Committee Clerk.....	Carson City.
P. B. Comstock.....	Committee Clerk.....	Reno.
A. H. Tevis.....	Chaplain.....	Carson City.
Seymour Pixley.....	Sergeant-at-Arms.....	Gold Hill.
C. C. Wallace.....	Assistant Sergeant-at-Arms.....	Eureka.
Ormsby C. Musser.....	Messenger.....	Virginia City.
George W. Cagwin.....	Page.....	Carson City.
Albert Harris.....	Page.....	Dayton.

SENATE—MEMBERS.

Name.	County.	Residence.
Cassidy, George W.....	Eureka.....	Eureka.
Clapp, R. S.....	Lincoln.....	Pioche.
Chubbuck, S. W.....	Storey.....	Gold Hill.
Cohn, G.....	Elko.....	Wells.
Davenport, T. S.....	Lyon.....	Silver City.
Dickinson, E. B.....	White Pine.....	Cherry Creek.
Edwards, T. D.....	Ormsby.....	Carson.
Farrell, M. J.....	Lander.....	Austin.
Garrard, A.....	Esmeralda.....	Pine Grove.
Grimes, W. C.....	Churchill.....	St. Clair's Station.
Hobart, W. S.....	Storey.....	Virginia City.
King, W. R.....	Lyon.....	Silver City.
Lockwood, A. J.....	Ormsby.....	Empire.
McClinton, J. G.....	Esmeralda.....	Aurora.
Piper, John.....	Storey.....	Virginia City.
Rickey, T. B.....	Douglas.....	Walker River.
Robinson, Robert.....	White Pine.....	Hamilton.
Ross, William L.....	Washoe.....	Reno.
Shepherd, G. H.....	Elko.....	Coral Hill.
Stamper, O. K.....	Humboldt.....	Unionville.
Stevenson, C. C.....	Storey.....	Gold Hill.
Thompson, W.....	Washoe.....	Franktown.
Varian, C. S.....	Humboldt.....	Unionville.
Walter, D. P.....	Nye.....	Hot Creek.
Wescoatt, N.....	Lincoln.....	Pioche.

ASSEMBLY—OFFICERS.

Name.	Position.	Residence.
W. C. Dovey.....	Speaker	Silver City.
H. H. Beck.....	Speaker pro tem.....	Franktown.
A. Whitford.....	Chief Clerk.....	Genoa.
J. M. Woodworth.....	Assistant Clerk.....	Carlin.
George W. Rogers.....	Minute Clerk.....	Virginia City.
B. M. Gunn.....	Enrolling Clerk.....	Virginia City.
W. W. Bordwell.....	Engrossing Clerk.....	Carson City.
C. Crandell.....	Journal Clerk.....	Carson City.
Mary P. Wright.....	Copying Clerk.....	Virginia City.
Charles S. Mott.....	Copying Clerk.....	Aurora.
Charles H. Stoddard.....	Chief Committee Clerk.....	Winnemucca.
Ed. Kiesele.....	Committee Clerk.....	Kingsley.
G. McKee.....	Committee Clerk.....	Treasure City.
R. P. Cochran.....	Committee Clerk.....	Reno.
M. W. Starling.....	Committee Clerk.....	Carson City.
Rev. George B. Allen.....	Chaplain	Carson City.
Rev. James Woods.....	Chaplain	Carson City.
H. W. Putnam.....	Sergeant-at-Arms	Virginia City.
J. F. Plageman.....	Assistant Sergeant-at-Arms	Eberhardt.
Ernest Peffley.....	Messenger	Virginia City.
Frank Gregory.....	Page	Truckee.
Warren C. Noteware.....	Page	Carson City.

ASSEMBLY—MEMBERS.

Name.	County.	Residence.
Allen, L.....	Churchill.....	St. Clair's Station.
Allen, N.....	White Pine.....	Mineral City.
Alt, George.....	Washoe.....	Reno.
Andrews, N. G.....	Storey.....	Virginia City.
Atkinson, T. B.....	Storey.....	Virginia City.
Averill, Wales.....	Storey.....	Virginia City.
Bartlett, M. B.....	Eureka.....	Eureka.
Beck, H. H.....	Washoe.....	Franktown.
Bergstein, H.....	Lincoln.....	Pioche.
Blair, A. J.....	Lincoln.....	Pioche.
Bibbens, G. R. A.....	White Pine.....	Treasure City.
Buckingham, E. L.....	Storey.....	Virginia City.
Buckner, L. A.....	Humboldt.....	Winnemucca.
Case, J. B.....	Humboldt.....	Paradise.
Carling, H. J.....	Lyon.....	Dayton.
Comins, H. A.....	White Pine.....	Hamilton.
Crandall, H.....	Storey.....	Gold Hill.
Dovey, W. C.....	Lyon.....	Silver City.
Dow, James C.....	Elko.....	Wells.
Ellison, P. M.....	Nye.....	Hamilton.
Ford, W. H.....	White Pine.....	Hamilton.
Frank, F. J.....	Elko.....	Bullion.
Gearhart, J. M.....	White Pine.....	Shellburne.
Gray, W. D.....	Storey.....	Gold Hill.
Haynie, J. W.....	Ormsby.....	Carson City.
Helm, Alfred.....	Ormsby.....	Carson City.

ASSEMBLY—MEMBERS—(Continued.)

Name.	County.	Residence.
Hogan, Henry H.....	Washoe.....	Reno.
Hubbard, B. L.....	Esmeralda	Gold Mountain.
Johnson, J. B.....	Douglas.....	Genoa.
Jones, S. E.....	Ormsby	Empire.
Laveaga, P.....	Humboldt	Unionville.
Lowery, James.....	Storey.....	Gold Hill.
McDonnell, J. F.....	Storey.....	Gold Hill.
Morrill, L.....	Lyon.....	Dayton.
McGee, John B.....	Nye	Tybo.
Nichols, Andrew.....	Lander	Austin.
Ogg, Simon.....	Storey.....	Gold Hill.
Penrod, E.....	Elko.....	Elko.
Payton, H. H.....	Elko.....	Bullion.
Reese, Philip.....	Storey.....	Virginia City.
Sanford, J. M.....	Churchill.....	Stillwater.
Smith, E. R.....	Storey.....	Virginia City.
Smith, J. P.....	Storey.....	Virginia City.
Spencer, A.....	Esmeralda	Columbus.
Tone, R. V.....	Esmeralda	Columbus.
Van Hagen, J. B.....	Lincoln.....	Pioche.
Van Sickle, H.....	Douglas.....	Genoa.
Watt, George.....	Lander	Austin.
Willis, E. R.....	Esmeralda	Pine Grove.
Wren, Thomas.....	Eureka	Eureka.

LAWS OF THE STATE OF NEVADA.

LAWS OF THE STATE OF NEVADA,

PASSED AT THE

SEVENTH SESSION OF THE LEGISLATURE, 1875.

CHAPTER I.—*An Act to create a State Legislative Fund.*

[Approved January 7, 1875.]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. For the purpose of paying the salaries of the members and attachés of the present Legislature, the mileage of the members, and the incidental expenses of the respective Houses, the State Treasurer is hereby authorized and required to set apart from any moneys now in the General Fund, not otherwise specifically appropriated, the sum of ninety thousand dollars, which shall constitute a fund to be denominated the State Legislative Fund. The State Controller is hereby authorized and required to draw his warrant on said fund in favor of the members and attachés of the Senate and Assembly, for stationery allowances, mileage, compensation, and the incidental expenses of the respective Houses, when properly certified to him in accordance with law; and the State Treasurer is hereby authorized and required to pay the same.

SEC. 2. All demands against said fund are hereby exempted from the operation of an Act entitled "An Act relating to the Board of Examiners, to define their duties and powers, and to impose certain duties on the Controller and Treasurer," approved February seventh, eighteen hundred and sixty-five.

SEC. 3. Any money that may remain in the fund created by this Act, upon the adjournment of the Legislature, shall revert to the General Fund.

State
Legislative
Fund
created.

Exempt
from Act
relating to
Board of
Examiners

Surplus
remaining
to revert to
General
Fund.

CHAP. II.—*An Act to repeal Chapter Eighty-eight, of the laws passed at the Fourth Session of the Legislature of Nevada.*

[Approved January 21, 1875.]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

Repeal.

SECTION 1. The Act of the Legislature of the State of Nevada, passed at the fourth session thereof, entitled "An Act to authorize the County Commissioners of Washoe County to issue bonds in aid of the construction of a railroad from Carson City to the Central Pacific Railroad," approved March fifth, eighteen hundred and sixty-nine, is hereby repealed.

CHAP. III.—*An Act to amend an Act entitled "An Act to amend 'an Act to create the office of State Printer, define the duties and compensation thereof, and provide for the time and manner of election,' approved January tenth, eighteen hundred and sixty-five," approved January twenty-sixth, eighteen hundred and sixty-six.*

[Approved January 25, 1875.]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

Amendment.

SECTION 1. Section two of said Act is hereby amended so as to read as follows:

Number of documents to be printed.

Section Two. Whenever any message, report, or other document, in book form, is ordered printed by either House, three hundred copies, in addition to the number ordered, shall be struck off, and be retained in sheets, by the Printer, to be bound with the Journals of the House ordering, as an Appendix. Whenever any bill is ordered printed, two hundred and forty copies shall be deemed the number ordered, unless the House ordering the same specially order a different number.

CHAP. IV.—*An Act to prevent the practice of medicine and surgery by unqualified persons.*

[Approved January 28, 1875.]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

Persons who may practice medicine or surgery.

SECTION 1. No person shall practice medicine or surgery in this State who has not received a medical education and a

diploma from some regularly chartered medical school; said school to have a *bona fide* existence at the time when said diploma was granted.

Sec. 2. Every physician or surgeon, when about to take up his residence in this State, or who now resides here, shall file for record with the County Recorder of the county in which he is about to practice his profession, or where he now practices it, a copy of his diploma, at the same time exhibiting the original, or a certificate from the Dean of the medical school of which he is a graduate, certifying to his graduation.

To file and record copy of diploma.

To exhibit certificate of graduation.

Sec. 3. Every physician or surgeon, when filing a copy of his diploma or certificate of graduation, as required by section two of this Act, shall be identified as the person named in the papers about to be filed, either by the affidavit of two citizens of the county, or by his affidavit taken before a Notary Public or Commissioner of Deeds for this State, which affidavit shall be filed in the office of the County Recorder.

Affidavit of identification of physician or surgeon.

Affidavit to be filed.

Sec. 4. Any person practicing medicine or surgery in this State, without complying with sections one, two, and three of this Act, shall be guilty of a misdemeanor, and upon conviction shall be punished by a fine of not less than fifty dollars (\$50) nor more than five hundred dollars (\$500), or by imprisonment in the County Jail for a period of not less than thirty (30) days nor more than six (6) months, or by both fine and imprisonment, for each and every offense; and any person filing, or attempting to file, as his own, the diploma or certificate of graduation of another, or a forged affidavit of identification, shall be guilty of a felony, and upon conviction shall be subject to such fine and imprisonment as is made and provided by the statutes of this State for said offense.

Violation of Act made misdemeanor.

Penalty.

Filing of forged or substituted diploma, certificate of graduation, or affidavit, made felony. Penalty.

Sec. 5. It shall be the duty of the police, Sheriff, or Constable, to arrest all persons practicing medicine or surgery in this State who have not complied with the provisions of this Act, and the officer making the arrest shall be entitled to one half of the fine collected.

Sheriff, etc., to arrest persons violating provisions of Act.

Sec. 6. No portion of this Act shall apply to any person who, in an emergency, may prescribe or give advice in medicine or surgery in a township where no physician resides, or when no physician or surgeon resides within convenient distance; nor to those who have practiced medicine or surgery in this State for a period of ten years next preceding the passage of this Act, nor to persons prescribing in their own family.

Persons and cases excepted from provisions of Act.

Sec. 7. This Act shall go into force sixty (60) days after its final passage.

When to take effect.

CHAP. V.—*An Act to provide for the payment of [the] State debt proper.*

[Approved January 28, 1875.]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

PAYMENT OF CERTAIN STATE BONDS. SECTION 1. For the purpose of providing for the payment of the State bonds issued under an Act entitled "An Act to authorize a State loan for the purpose of paying the State proportion of the bonds [issued] under the Act approved February sixth, one thousand eight hundred and sixty-seven, and to fund the floating debt and place the State on a permanent cash basis," approved February twenty-seventh, eighteen hundred and seventy-one, the sum of one hundred and ninety thousand dollars is hereby transferred from the General Fund of the State to the State Interest and Sinking Fund, provided for in said Act. And the State Controller is hereby directed to notify the State Treasurer of such transfer.

Transfer from General Fund to State Interest and Sinking Fund.

Moneys used in purchase.

Board of Commissioners constituted

Purchase of Nevada State bonds

Purchase of California State bonds U. S. bonds

Exchange of U. S. bonds for State bonds

State Interest and Sinking Fund constituted.

Ad valorem tax levied.

SEC. 2. The amount thus placed in the State Interest and Sinking Fund, together with all sums now in or coming into said fund from other sources, shall, under the unanimous direction of a Board of Commissioners, consisting of the Governor, Attorney General, Secretary of State, State Controller, and State Treasurer, be used as follows:

First—In the purchase of the bonds issued under the authority of the Act herein mentioned, if such purchase can be made at such a rate of premium as would guarantee to the purchaser six per cent. per annum interest on the amount paid during the life of the bonds.

Second—In California State six per cent. bonds; and,

Third—In United States six per cent. gold-bearing bonds.

SEC. 3. The Board of Commissioners herein named are authorized to exchange the United States bonds now in the State Interest and Sinking Fund for State bonds issued under the Act herein named, at such rate as in their judgment would be for the best interest of the State; *provided*, that in making such exchange, the value of said United States bonds shall be at least the average premium paid for United States bonds in the market on the day of exchange, and in no case at less than par.

SEC. 4. From and after the passage of this Act, the State Interest and Sinking Fund provided for in the Act herein named, shall consist of amounts derived from delinquent taxes heretofore payable into said fund, of United States or California State bonds now in or that may hereafter come into said fund, together with the amounts derived from interest on said bonds, and of amounts derived from an ad valorem tax hereby levied of five cents upon each one hundred dollars of the taxable property in this State, which shall be levied and collected for the fiscal year commencing January first, eighteen hundred and seventy-five, and annually thereafter, until all the bonds, both principal and interest, issued under the provisions of the Act

herein named, shall have been fully paid, or their payment at maturity shall have been fully provided for; *provided*, that no portion of any tax whatsoever levied on the proceeds of the mines shall be construed to form any part of the revenue appropriated by this section for the payment of the interest on or redemption of the bonds hereinbefore mentioned.

Proviso
No portion
of tax on
mines to go
into fund.

SEC. 5. Immediately after the passage of this Act, it shall be the duty of the Commissioners herein named, to advertise in one or more daily papers published in this State, and in the Cities of San Francisco and New York, for sealed proposals for the surrender of bonds provided to be paid by this Act. They shall advertise the amount of money on hand applicable to the redemption of such bonds, and they may accept bids, calling for no higher rate of premium than would guarantee the purchaser six per cent. per annum interest on the amount paid for said bonds for the time they have yet to run; or, refusing all such bids, invest the money in California six per cent. gold-bearing bonds, as in their judgment would be for the best interest of the State.

Advertise-
ment of
redemption
of bonds.

Purchase of
California
State bonds

SEC. 6. The Commissioners herein named shall report to the Legislature, at the beginning of each session, in detail, all their doings under the provisions of this Act.

Report of
Commis-
sioners.

SEC. 7. All Acts and parts of Acts, in so far only as they conflict with the provisions of this Act, are hereby repealed.

Repeal of
conflicting
Acts.

CHAP. VI.—*An Act relating to prisoners discharged from the State Prison.*

[Approved February 1, 1875.]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. Whenever any prisoner shall be discharged from the State Prison of this State, either by expiration of his term of sentence, or by pardon, the Warden shall furnish him twenty-five dollars in coin, the same to be allowed and paid out of the State Prison Fund, the same as any other claim against said fund.

Prisoner
discharged
to be
furnished
money.

SEC. 2. This Act shall take effect from and after its passage.

Act to take
effect.

CHAP. VII.—*An Act in relation to the Great Seal of the State of Nevada.*

[Approved February 1, 1875.]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

Secretary
of State to
procure
State Seal.

SECTION 1. It is hereby made the duty of the Secretary of State, as soon as practicable after the passage of this Act, to procure a seal, the design of which shall be the same as that upon the present Great Seal of the State of Nevada, as provided by an Act entitled "An Act to provide a Seal of State for the State of Nevada," approved February twenty-fourth, eighteen hundred and sixty-six; and the size thereof shall not be more than two and three fourths inches in diameter; and when completed, shall be known as the Great Seal of the State of Nevada, and shall be used instead of the present Great Seal.

Secretary
of State to
have access
to and use
of seal.

SEC. 2. The Secretary of State shall at all times have access to said seal, and may use the same in verification of all his official acts.

Appropriation.

SEC. 3. For the purpose of carrying out the provisions of this Act, the sum of two hundred dollars is hereby appropriated out of any money in the State Treasury not otherwise specifically appropriated.

CHAP. VIII.—*An Act to prohibit cheating and unlawful games.*

[Approved February 2, 1875.]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

Three-card
monte,
strap game,
etc., made
unlawful.

SECTION 1. It shall be unlawful in this State for any person to deal, play, carry on, open, or cause to be opened, or in any manner whatsoever assist in or about the playing of the game commonly known as the strap game; the game sometimes known as the California dice game, sometimes as twenty-one, and sometimes as top and bottom; or the game commonly known as three-card monte, or any similar game with any number of cards. Any person who shall deal, play, or carry on, open, or cause to be opened, or who shall in any manner whatever assist in or about the playing of any of the games aforesaid, or any similar games, shall be deemed guilty of a felony, and upon conviction thereof shall be punished by imprisonment in the State Prison, for a term of not less than two nor more than five years.

Persons
playing,
etc., guilty
of felony.

Penalty.

Person
soliciting
another to
bet, etc.,
deemed
guilty of a
felony.

SEC. 2. Every person who shall solicit or request, or in any manner whatever attempt to lead, induce, or prevail upon any other person to play, bet, or in any manner whatever hazard any money, chose in action, credit, or any valuable thing, at

any of the games enumerated in section one of this Act, or at any of the banking games enumerated in section one of an Act entitled "An Act to restrict gaming," passed March fourth, A. D. eighteen hundred and sixty-nine, or any banking game played with cards, dice, or any other device, shall be deemed guilty of a felony, and upon conviction thereof shall be punished by imprisonment in the State Prison, for a term not less than one nor more than two years. Penalty.

SEC. 3. Every person who shall deal, play, open, or cause to be opened, or carry on any game played with cards, dice, or any other device, commonly known and designated as a hogging game, or who by any fraud, cheat, deceitful device, or false pretense or pretenses, or by any kind of false representation whatsoever, while playing at or dealing any of the games referred to in the preceding section, or while having any share in wagers played for at such games, or while betting on sides or hands of such play, wins or acquires to himself or another any sum of money, chose in action, or valuable thing, or the possession thereof, shall be deemed guilty of a felony, and upon conviction thereof shall be sentenced to restore such money, chose in action, or valuable thing, so won or acquired, to the owner thereof, and shall be imprisoned in the State Prison for a term of one year. Cheating, etc., made felony.
Penalty.

SEC. 4. It shall be lawful for any agent, officer, or employé of any common or passenger carrier in this State to arrest and confine and restrain, without warrant, any person who shall violate any of the provisions of this Act while being carried as a passenger in any car, coach, or other vehicle of such common or passenger carrier; *provided*, any agent, officer, or employé of such carrier who shall arrest any such person under the provisions of this section, shall, with all convenient speed, deliver such person into the custody of some magistrate or peace officer of this State, and shall forthwith enter a complaint against the person so arrested, before the nearest or most accessible magistrate. Agent, etc., of common or passenger carrier may arrest, etc.
Proviso.
Duty of agent, etc., making arrest.

SEC. 5. Any person committing any offense under the provisions of this Act on any car, coach, or other vehicle belonging to any common or passenger carrier in this State, may be indicted and tried for such offense in any county in this State through or in which the track or route of such carrier runs or lies. Venue of offense committed on vehicle of carrier.

SEC. 6. Every person who shall knowingly permit any of the games mentioned and alluded to in section one of this Act to be dealt, played, opened, or caused to be opened, or in any manner whatever carried on in any house, building, car, coach, or other vehicle owned by such person, in whole or in part, or any agent, employé, or officer of any common or passenger carrier in this State, who shall knowingly permit any of the said games to be dealt, played, opened, or carried on in any building, car, coach, or other vehicle which may for the time being be in the charge, care, or custody of such agent, employé, or officer, shall be deemed guilty of a felony, and upon conviction shall be imprisoned in the State Prison for a term of one year. Owner of premises, or agent, permitting game, guilty of felony.
Penalty.

SEC. 7. Every District Attorney and peace officer within this

District Attorney and peace officer to prosecute. District Attorney and peace officer neglecting, etc., guilty of misdemeanor.

Act to be given in charge to Grand Jurors.

State shall inform against and diligently prosecute all persons violating any of the provisions of this Act; and every such District Attorney and officer who shall knowingly neglect or refuse so to do, shall be deemed guilty of a misdemeanor, and on conviction shall be fined in any sum not less than five hundred nor more than fifteen hundred dollars; which fine may be collected in an action instituted by the Attorney General, on behalf of the State, against the sureties on the official bond of such District Attorney or peace officer.

SEC. 8. It shall be the duty of Judges of the District Courts of the several judicial districts in this State, to specially give this Act in charge of every Grand Jury impaneled in their respective districts.

CHAP. IX.—*An Act supplementary to an Act entitled "An Act prescribing rules and regulations for the execution of the trust arising under the Act of Congress entitled 'An Act for the relief of the inhabitants of cities and towns upon the public lands,' approved March second, eighteen hundred and sixty-seven," approved February twentieth, eighteen hundred and sixty-nine.*

[Approved February 8, 1875.]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

Trustee of town site to record patent, etc.

Proof of payment of taxes not required.

Sale of unclaimed lots or lands.

Disposition of proceeds.

SECTION 1. Whenever the corporate authorities or Judge shall have received a certificate of entry, patent, or other evidence of title to the real estate embraced within the limits of any town or city, it shall be the duty of said corporate authorities or Judge to cause the same to be recorded in the land records of the proper county, and to entitle said certificate of entry, patent, or other evidence of title, to be recorded by the County Recorder, it shall not be necessary to present or make, nor shall the County Recorder require any oath or affirmation that all or any part of the taxes for county and State purposes, assessed, due, or payable upon said real estate, have been paid.

SEC. 2. All lots, blocks, shares, or parcels of land within the boundaries of such town or city, which shall not have been claimed as provided in section four of said Act, approved February twentieth, eighteen hundred and sixty-nine, shall, after the limitation provided in said section four has expired, be sold, and the proceeds of such sale disposed of as provided in section eight of said Act.

CHAP. X.—*An Act to amend section four hundred and sixty-eight of "An Act to regulate proceedings in criminal cases in the Courts of justice in the Territory of Nevada," approved November twenty-sixth, eighteen hundred and sixty-one.*

[Approved February 8, 1875.]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. The punishment of death shall be inflicted by hanging the defendant by the neck until he be dead, within the inclosed limits of the jail, and when such inclosure does not exist, so as to screen the execution from public gaze, a suitable and efficient inclosure shall be provided by the County Commissioners of the county in which the execution takes place.

Death penalty, how inflicted. County Commissioners to provide inclosure.

CHAP. XI.—*An Act to authorize Sheriffs to work prisoners.*

[Approved February 9, 1875.]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. Every person convicted of petit larceny, and imprisoned in the County Jail, may be required, by a special or general order of the Board of Commissioners of the county in which said person was convicted, to perform labor on the public works or ways in the county.

Labor of persons convicted of petit larceny.

CHAP. XII.—*An Act to prohibit camels and dromedaries from running at large on or about the public highways of the State of Nevada.*

[Approved February 9, 1875.]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. From and after the passage of this Act it shall be unlawful for the owner or owners of any camel or camels, dromedary or dromedaries, to permit them to run at large on or about the public roads or highways of this State.

Running at large of camels or dromedaries prohibited

SEC. 2. If any owner or owners of any camel or camels, dromedary or dromedaries shall, knowingly and willfully, permit any violation of this Act, he or they shall be deemed guilty of a misdemeanor, and shall be arrested, on complaint of any per-

Misdemeanor.

Penalty. son feeling aggrieved; and when convicted, before any Justice of the Peace, he or they shall be punished by a fine not less than twenty-five (25) or more than one hundred (100) dollars, or by imprisonment not less than ten or more than thirty days, or by both such fine and imprisonment.

CHAP. XIII.—*An Act to encourage the construction of a railroad from Battle Mountain Station, on the Central Pacific Railroad, in Lander County, State of Nevada, to the City of Austin, in said county, and to authorize said county to issue its bonds for two hundred thousand dollars to aid the same.*

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

Franchise. **SECTION 1.** The following named persons, to wit: Allen A. Curtis, Andrew Casamayou, George F. Dinsmore, D. B. Starratt, and M. A. Sawtelle, their heirs and assigns, are hereby given and granted the right, privilege, and franchise of building, constructing, maintaining, and operating a narrow or wide gauge railroad, with iron rails, between the Town of Battle Mountain, on the Central Pacific Railroad, in the County of Lander, State of Nevada, and the City of Austin, in said county, the gauge whereof shall be of a width not less than thirty-two inches, and the grade whereof shall not exceed one hundred and fifteen feet to the mile; and the said persons, their heirs and assigns, are hereby vested with, and shall have and enjoy all and singular the rights, privileges, and franchises conferred upon railroad companies incorporated in this State by the provisions of an Act of the Legislature of the State of Nevada entitled "An Act to provide for the incorporation of railroad companies and the management of the affairs thereof," approved March twenty-second, eighteen hundred and sixty-five, and the Acts amendatory thereof or supplemental thereto.

Gauge of road.

Benefits of general railroad Act conferred.

Lander County to issue bonds

SEC. 2. The Board of County Commissioners of the County of Lander aforesaid, are hereby required to prepare and issue the bonds of said county, upon the conditions and pursuant to the provisions hereinafter enacted; which said bonds shall be delivered to the said persons, their heirs and assigns, for their use and benefit.

Petition to be presented to County Commissioners.

SEC. 3. Whenever the said persons, or their heirs or assigns, shall present to the said Board of County Commissioners a petition signed by three fifths in number of all the voters registered in said county, as shown by the registry list of said county, representing one half or more of the taxable property of said county, as shown by the assessment roll of said county for the year eighteen hundred and seventy-four, which petition shall state that it is the desire of the signers thereof that the bonds of said County of Lander should be issued to the said persons, their heirs and assigns, in the sum of two hundred thousand dollars, gold coin, with interest thereon at the rate of ten per

centum per annum, in gold coin, pursuant to this Act, then and thereafter it shall be the duty of said Board of County Commissioners to prepare and issue such bonds as hereinafter provided.

SEC. 4. Whenever the said persons, their heirs or assigns, shall have graded, laid the ties and a good quality of iron rails, completed and prepared ready for the reception of the rolling stock ten miles of said railroad, and such fact shall appear to said Board of County Commissioners, by the affidavit of the Superintendent of the construction of said railroad and by the personal examination of said Commissioners, and the petition aforesaid shall have been presented to said Board, then the said Board shall prepare, issue, and deliver to said persons, their heirs and assigns, bonds of said county, in an amount which shall bear the same proportion to the whole amount of the bonds to be issued, as hereinbefore provided, as the said ten miles of railroad bears to the whole length of said railroad proposed to be constructed, as shown by the survey thereof; and thereafter, upon the completion of the said railroad ready for the rolling stock, as hereinbefore provided, of each succeeding and continuous ten miles of said railroad, a like amount of said bonds shall be prepared, issued, and delivered, until upon the completion of the last section of ten miles or less, at the terminus of said railroad within the said City of Austin, at a point not farther west than the Philadelphia Brewery; when and at which time the whole amount of said bonds remaining unissued shall be issued and delivered to said persons, their heirs or assigns.

SEC. 5. The said bonds shall be issued in sums of one thousand dollars, and shall be printed with interest coupons attached thereto; shall express on the face of both bonds and coupons that they are payable in gold coin; shall bear interest at the rate of ten per centum per annum, payable annually; shall be payable to the bearer, at the office of the Treasurer of said county, in twenty years from their date. The said bonds shall be consecutively numbered from one to two hundred, inclusive, and shall be signed by the Chairman of said Board and the said Treasurer, and countersigned by the Clerk of said Board, who shall attach thereto the seal of said county. The said coupons shall bear the number of the bond to which they are attached, and shall be consecutively numbered from one (1) to twenty (20), inclusive, and shall be signed by said Chairman and said Treasurer.

SEC. 6. Immediately after being notified of the fulfillment of the conditions upon which any installments of said bonds are to issue as hereinbefore provided, the said Board shall satisfy themselves, by personal inspection and the affidavit of said Superintendent, of the fact of the performance of said conditions; and on being so satisfied, shall prepare, issue, and deliver the bonds as hereinbefore directed.

SEC. 7. From and after the issuance of said bonds, or any installment thereof, as hereinbefore provided, the said Board shall annually, at the same time, and in the same manner as other county taxes are levied, levy a special county tax sufficient in amount to pay the annual interest on said bonds, and

Bonds,
when to
issue.

Amount
and
description
of bonds.

Inspection
of road.

Special tax
to pay
bonds and
interest.

after the second year of their issuance, an amount sufficient to pay, in addition to interest, one eighteenth part of the principal of the whole amount of said bonds.

Proceeds of
tax to form
"Railroad
Interest
and Sink-
ing Fund."

SEC. 8. The proceeds of said tax shall be placed by said Treasurer in a separate fund, to be known as the "Railroad Interest and Sinking Fund," and shall be applied exclusively: First, to the payment of said interest, as the same shall become due; and, second, to the redemption of the said bonds in the manner specified in the next section.

Surplus in
fund, how
disposed of.

SEC. 9. Whenever, after the issuance of said bonds, all the interest due thereon shall have been paid, and there shall be in said fund a surplus of five thousand dollars or more, which, upon an estimate of the receipts, will not be required for accruing interest within the next succeeding year, the said Board shall insert an advertisement in a newspaper published in said county, or if there be no such newspaper, in the newspaper of the largest circulation and issue at Virginia City, in said State, for the period of one month, stating the amount of money in said fund to be applied to the purchase of said bonds, and that sealed proposals to surrender the same will be received by the Clerk of said Board before a day therein named. On said day, the said Board shall meet and open said proposals, and, to the extent of the amount named in said advertisement, shall purchase the bonds so offered, giving the preference to the bidder who shall offer to surrender such bonds at the lowest price. If two or more proposals are at the same price, the proposal first filed shall have the preference; but no proposal shall be accepted for more than the principal and interest then due on the bonds offered. If no proposals, such as are herein authorized to be accepted, be filed, the said Board shall advertise in such newspaper, as aforesaid, for the period of one month, stating the amount of money in said fund to be applied to the redemption of such bonds, and that the bonds of the lowest numbers (naming them) are redeemable at the office of said Treasurer, and that the interest on said bonds will stop at the expiration of one month from the date of said advertisement. The said Treasurer shall redeem such bonds when presented, and the interest on such bonds shall cease at the time stated in said advertisement.

Sealed
proposals to
surrender
bonds.

What
proposals
may be
accepted.

Notice of
redemption
of bonds.

County
Treasurer
to pay
bonds.

Time
limited for
making
locating
survey and
the comple-
tion of road

SEC. 10. The said persons, their heirs and assigns, shall, in order to secure the privileges herein specified, within one year after the approval of this Act, complete the locating survey of the route of said railroad, and commence the grading of said railroad; and shall, within three years after the approval of this Act, complete, finish, and equip the said entire railroad, from said Central Pacific Railroad, in said Lander County, to said City of Austin, in the manner hereinbefore stated.

Faith of
State
of Nevada
pledged.

SEC. 11. The faith of the State of Nevada is hereby pledged that this Act shall never be repealed or so modified as in any way to impair the security of those who shall hold the bonds herein provided for.

STATE OF NEVADA, CARSON CITY,
SENATE CHAMBER, February 8th, 1875. }

This is to certify that Senate Bill Number Three, entitled "An Act to encourage the construction of a railroad from Battle Mountain Station, on the Central Pacific Railroad, in Lander County, State of Nevada, to the City of Austin, in said county," has this day passed the Senate, notwithstanding the objections of the Governor, by the following vote: Yeas, 17; nays, 6.

C. C. STEVENSON,
President pro tem.

C. N. NOTEWARE,
Secretary of the Senate.

STATE OF NEVADA, CARSON CITY,
ASSEMBLY CHAMBER, February 9th, 1875. }

This is to certify that Senate Bill Number Three, entitled "An Act to encourage the construction of a railroad from Battle Mountain Station, on the Central Pacific Railroad, in Lander County, State of Nevada, to the City of Austin, in said county," has this day passed the Assembly, notwithstanding the objections of the Governor, by the following vote: Yeas, 38; nays, 11.

W. C. DOVEY,
Speaker of the Assembly.

J. M. WOODWORTH,
Assistant Clerk of the Assembly.

CHAP. XIV.—*An Act for the relief of S. T. Swift, Sheriff of Ormsby County.*

[Approved February 10, 1875.]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. The sum of thirty-nine and seventy-five one hundredths dollars (\$39 75) is hereby appropriated out of any moneys in the General Fund of this State not otherwise specifically appropriated by law, or which may come into the said General Fund, for the payment of S. T. Swift's claim for cost in case of the State of Nevada vs. Rhodes and others. Appropriation.

SEC. 2. The Controller of State is hereby directed to draw his warrant in favor of said S. T. Swift for said amount, and the State Treasurer is hereby directed to pay the same. Controller directed to draw warrant, etc.

CHAP. XV.—*An Act for the relief of Ormsby County.*

[Approved February 10, 1875.]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

Appropriation.

SECTION 1. The sum of one hundred and eight and ninety one hundredths dollars (\$108 90) is hereby appropriated out of any moneys in the General Fund of this State not otherwise specifically appropriated by law, or which may come into said General Fund, for the payment of the claim of Ormsby County for costs in case of the State of Nevada vs. Patrick Hurley, for breaking out of the State Prison.

Controller directed to draw warrant, etc.

SEC. 2. The Controller is hereby directed to draw his warrant in favor of the Treasurer of Ormsby County for the above amount, and the State Treasurer is hereby directed to pay the same.

CHAP. XVI.—*An Act for the relief of John N. Thacker.*

[Approved February 10, 1875.]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

Appropriation.

SECTION 1. The sum of two thousand dollars (\$2,000) is hereby appropriated out of any moneys in the General Fund of this State not otherwise appropriated by law, or which may hereafter come into said General Fund, in favor of John N. Thacker, for the arrest and delivery to the proper authorities in this State, in accordance with the proclamation of the Governor, Edward Cage and Joseph Lindsay, in the year eighteen hundred and sixty-nine.

Controller directed to draw warrant, etc.

SEC. 2. The Controller is hereby directed to draw his warrant in favor of the said John N. Thacker for the above specified sum, and the Treasurer of State is hereby directed to pay the same.

CHAP. XVII.—*An Act amendatory of and supplemental to an Act entitled "An Act relating to elections," approved March twelfth, eighteen hundred and seventy-three.*

[Approved February 12, 1875.]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. Section two of said Act is amended so as to read as follows:

Section Two. It shall be the duty of the Board of County Commissioners to set off and establish election precincts or districts, when it may be necessary, upon a petition of ten (10) or more qualified electors of the county; *provided*, they be located eight (8) miles or more from any polling place or precinct; *and, provided further*, that said Commissioners, upon the petition of ten (10) or more qualified electors of any precinct in which more than eight hundred (800) votes were cast at the general election next preceding, shall divide said election precinct into two or more election precincts, and establish the line or lines of said division so as best to accommodate the electors of said district. At their first regular meeting in October preceding each general election, and fifteen (15) days before any special election, to appoint three (3) capable and discreet persons possessing the qualifications of electors, who shall not be of the same political party, to act as Inspectors of the election, at each election precinct; and the Clerk of said Board of County Commissioners shall make out and deliver to the Sheriff of the county, immediately after the appointment of said Inspectors, a notice thereof in writing, directed to the Inspectors so appointed, and it shall be the duty of the said Sheriff, within ten (10) days after the receipt of said notices, to serve the same upon each of said Inspectors of Election.

County Commissioners to establish election precincts, upon petition.

Precinct to be divided, upon petition.

Inspectors of Election, appointment of.

Notice to Inspectors of their election.

Service of notice.

CHAP. XVIII.—*An Act for the relief T. J. Edwards, County Clerk of Ormsby County.*

[Approved February 12, 1875.]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. The sum of two hundred and twenty-one and sixteen one hundredths dollars (\$221 16) is hereby appropriated out of any moneys in the General Fund of this State not otherwise specifically appropriated by law, or which may come into said General Fund, for the payment of T. J. Edwards' claim for costs in case of the State of Nevada vs. Rhodes and others.

Appropriation to pay T. J. Edwards.

Controller to draw warrant, etc.

SEC. 2. The Controller of State is hereby directed to draw

his warrant in favor of said T. J. Edwards for said amount, and the State Treasurer is hereby directed to pay the same.

CHAP. XIX.—*An Act to legalize the issuance of certain Elko County bonds, issued as aid in the construction of the Preparatory Department of the State University of Nevada.*

[Approved February 12, 1875.]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

State
University
Aid Bonds
issued by
Elko
County
legalized.

SECTION 1. The issuance of the bonds of Elko County by the Board of County Commissioners of said county, on the third day of February, A. D. eighteen hundred and seventy-four, in the sum of twelve thousand dollars, bearing interest at the rate of ten per cent. per annum, and known and denominated as State University Aid Bonds, is hereby legalized, and the same are hereby created and made a part of the legal indebtedness of Elko County, and shall be paid as herein provided, both principal and interest, in United States gold coin.

Levy of tax
authorized
and
directed.

SEC. 2. The Board of County Commissioners of Elko County are hereby specially authorized, empowered, and directed, at their first regular meeting after the passage of this Act, to levy and cause to be assessed and collected, at the same time and in the same manner as other revenues of the county, the sum of seven cents upon each one hundred dollars worth of taxable property within said Elko County; and thereafter, annually, for a period of twenty years, a like sum shall be levied, assessed, and collected for the uses and purposes as hereinafter mentioned.

University
Interest
and Sinking
Fund
created.

SEC. 3. The proceeds of said tax shall be placed by the County Treasurer in a separate fund, to be known as the University Interest and Sinking Fund, and shall be applied exclusively: first, to the payment of the interest as it becomes due; and, second, to the redemption of the said bonds, in the manner specified in the next section.

Notice of
proposals
to surren-
der bonds.

SEC. 4. Whenever all the interest due on said bonds shall have been paid, and there shall be in said fund a surplus of one thousand dollars or more, which, upon an estimate of the receipts, will not be required for accruing interest within the next succeeding year, the said County Treasurer shall insert an advertisement in a newspaper published in said county, or if there be no such newspaper, in the newspaper of the largest issue in Virginia City, in this State, for the period of one month, stating the amount of money in said fund to be applied to the purchase of said bonds, and that sealed proposals to surrender the same will be received by the said Treasurer before a day therein named. On said day the Treasurer shall open said proposals, and, to the extent of the amount named in said advertisement, shall purchase the bonds so offered, giving the prefer-

What
proposals
shall be
accepted.

ence to the bidder who shall offer to surrender said bonds at the lowest price. If two or more proposals are at the same price, the proposal first filed shall have the preference; but no proposal shall be accepted for more than the principal and interest then due on the bonds offered. If no proposals such as are herein authorized to be accepted be filed, the said Treasurer shall advertise in such newspaper as aforesaid, for the period of one month, stating the amount of money in said fund to be applied to the redemption of such bonds, and that the bonds of the lowest numbers (naming them) are redeemable at the office of said Treasurer, and that the interest on said bonds will stop at the expiration of one month from the date of said advertisement. The said Treasurer shall redeem such bonds when presented, and the interest on such bonds shall cease at the time stated in said advertisement.

Notice of
redemption
of bonds.

SEC. 5. After said bonds shall have been fully paid, together with the accruing interest thereon, any money that may be remaining in said "University Interest and Sinking Fund" shall revert back to the General Fund of said Elko County, for county purposes.

Money re-
maining in
University
Fund to
revert to
General
Fund.

CHAP. XX.—*An Act to amend "An Act to regulate rafting and running timber and wood on the rivers in the State of Nevada."*

[Approved February 15, 1875.]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. Section four of an Act entitled an Act to amend an Act to regulate rafting and running timber and wood on the rivers in the State of Nevada, is hereby amended to read as follows:

Section Four. Such corporation shall keep posted, in some conspicuous place in their office, a list of the names, with place of residence, of all the members thereof, and of all persons whose logs, timber, lumber, or wood they have contracted to run, drive, boom, raft, clear from the banks, or secure, with a description of each mark intended to be used upon such logs, timber, lumber, or wood, so far as the same may be known; and if any person owning or interested in the running and securing of any logs, timber, lumber, or wood on such stream or waters, shall furnish to the Secretary of such corporation a like list of the name, residence, and mark or marks of such person or persons, the Secretary shall post the same in like manner as hereinbefore provided; and every such person shall be entitled to ten days' notice in all cases provided for in section two, specification seventh, to be given in the same manner as therein provided; and such person or persons owning or interested in the running and securing, as aforesaid, any logs, timber, lumber, or wood on such stream or waters, shall, before floating the same, cause to be filed in the office of the corporation, and filed and

Notice of
members of
corporation
and owners
of wood to
be kept
posted in
office.

Owners of wood to file and record name, residence, place of business, and private mark.

Owner's private mark to be placed on all timber, etc.

Limb or small wood to be measured.

Oath and certificate to be made.

Division of wood.

recorded in the office of the Clerk of the county in which the office of such corporation may be kept, his or their name, residence, and place of business, and private mark to be used by such person or persons, which mark shall differ palpably and materially in form, figure, and design from any mark previously so placed on file as aforesaid, and shall thereafter stamp, impress, or hack the same on all timber, lumber, or wood belonging to him or them; *provided*, that any person intending or desiring to raft or drive any limb or small wood shall not be compelled to mark the same before putting it in the river, but shall have the same measured by some person appointed for that purpose by the corporation, who shall make oath before some Justice of the Peace, or other officer authorized to administer oaths, that he has measured said wood, stating the number of cords thereof, and thereupon the Justice of the Peace, or other officer administering the oath, shall issue to the party or parties a certificate, stating the name or names of the owner or owners, the number of cords of wood, the place where and the time when the same was put into the river. Said certificate shall be *prima facie* evidence of the facts therein stated. When the wood shall have been driven or rafted down to its destination, then a division shall be made on the basis of the certificates held by each of the parties or owners, and each owner or holder of such certificate shall receive his *pro rata* or share, and shall sustain his *pro rata* or share of loss on all the wood sunk or lost while being driven.

CHAP. XXI.—*An Act to amend an Act entitled "An Act to provide for the government of the State Prison of the State of Nevada."*

[Approved February 15, 1875.]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. Section ten of said Act is hereby amended so as to read as follows:

Employment of prisoners, power of the Board in relation thereto.

Order of Board in such case.

Section Ten. If, at any time, the Board of Commissioners be of the opinion that it would be to the interest of the State to employ any portion of the prisoners, either within or without the walls or inclosures of the State Prison, either in improvement of the public grounds or buildings, or for hire upon any private work or employment where they may be profitably employed, they shall have power to so employ or hire such labor; they shall in such case direct the Warden accordingly in writing, and cause a record of such order to be entered at length on the records of the Board. All such employment outside of the prison walls or inclosures shall be within a reasonable distance from the prison.

CHAP. XXII.—*An Act to amend an Act entitled "An Act relating to marriage and divorce," approved November twenty-eighth, eighteen hundred and sixty-one.*

[Approved February 15, 1875.]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. Section twenty-two of said Act is hereby amended so as to read as follows:

Section Twenty-two. Divorce from the bonds of matrimony may be obtained, by complaint under oath, to the District Court of the county in which the cause therefor shall have accrued, or in which the defendant shall reside or be found, or in which the plaintiff shall reside, if the latter be either the county in which the parties last cohabited, or in which the plaintiff shall have resided six months before suit be brought, for the following causes: Divorce from bonds of matrimony, how obtained.

First—Impotency at the time of the marriage continuing to the time of the divorce. Grounds for divorce: Impotency.

Second—Adultery, since the marriage, remaining unforgiven. Adultery.

Third—Willful desertion, at any time, of either party by the other, for the period of one year. Desertion.

Fourth—Conviction of felony or infamous crime. Infamy.

Fifth—Habitual gross drunkenness, contracted since marriage of either party, which shall incapacitate such party from contributing his or her share to the support of the family. Drunkenness.

Sixth—Extreme cruelty in either party. Cruelty.

Seventh—Neglect of the husband, for the period of one year, to provide the common necessities of life, when such neglect is not the result of poverty on the part of the husband, which he could not avoid by ordinary industry. Neglect to provide, etc.

SEC. 2. All Acts and parts of Acts, in conflict with the provisions of this Act, are hereby repealed. Repeal of conflicting Acts.

CHAP. XXIII.—*An Act relating to the transportation of indigent insane persons and convicts.*

[Approved February 15, 1875.]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. The expense of transporting convicts and indigent insane persons from the various counties of the State, to the State Prison and Insane Asylum, shall constitute a charge upon the State, and shall be paid by the State Treasurer, on the Controller's warrant to be issued on the approval by the Board of State Prison Commissioners of the claim of the person having charge. Expenses of transporting State convicts and indigent insane to be a State charge.

Expense of transporting, how paid.

Defining the expenses to be paid under this Act.

Proviso. Upon appeal sustained further transportation to be at expense of county.

All persons awaiting transportation to be transported at same time.

Repeal.

ing charge of the transportation of any such convict, or by the Board of Examiners, of the claim of the person having charge of the transportation of any such indigent insane person; the expense of transporting convicts to be paid out of the appropriation for the support of the State Prison, and the expense of transporting indigent insane persons out of the appropriation for the support of the indigent insane.

SEC. 2. The expenses to be paid under this Act shall be:

First—The actual expenses of the officer in charge of the indigent insane person or persons, convict or convicts, in traveling to and from the State Prison or Insane Asylum.

Second—The necessary expense of transporting the insane person or persons, convict or convicts, and the sum of eight dollars per diem to the officer in charge; *provided*, that in all cases where an appeal shall have been sustained by the Supreme Court, further transportation of the convict or convicts shall be at the expense of the county in which said convict or convicts were convicted, at the same per diem and expense as previously provided in this section.

SEC. 3. The officer in charge shall transport at the same time all persons awaiting transportation, and the Board of State Prison Commissioners or Examiners shall not allow any extra expense incurred by the making unnecessary trips in transporting separately persons who might be transferred at the same time.

SEC. 4. All Acts and parts of Acts, making other and different provisions for the transportation of convicts and indigent insane persons, are hereby repealed.

CHAP. XXIV.—*An Act to amend an Act entitled "An Act to regulate proceedings [in civil cases] in the Courts of justice in this State, and to repeal all other Acts in relation thereto," approved March eighth, eighteen hundred and sixty-nine.*

[Approved February 15, 1875.]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. Section one hundred and sixty-one of said Act is hereby amended so as to read as follows:

Jury, how drawn.

Section One Hundred and Sixty-one. When the action is called for trial by jury, the Clerk shall prepare separate ballots containing the names of the jurors summoned who have appeared and not been excused, and deposit them in a box. He shall then draw from the box twelve names, and the persons whose names are drawn shall constitute the jury. If the ballots become exhausted before the jury is complete, or if for any cause a juror or jurors be excused or discharged, a sufficient number of additional jurors shall be drawn from the jury box and summoned as provided by law. The jury shall consist

of twelve persons, unless the parties consent to a less number. The parties may consent to any number not less than four. Such consent shall be entered by the Clerk in the minutes of the trial. If either party to the action shall, prior to its being set for trial, file and serve upon the opposite party an affidavit showing that property or money of more than the value of ten thousand dollars is involved in the controversy, together with a notice that he will demand a struck jury for the trial of the same, the Court shall at the time of setting the cause for trial, if it be satisfied that said amount or more is really involved, and if the party demanding such struck jury shall deposit a sufficient amount to pay the expenses of obtaining the same, make an order that the cause be tried by a special struck jury, which shall be obtained in the following manner: The Judge shall proceed forthwith to draw from the jury box a list of one hundred names of jurors therein contained, which list shall be opened to the inspection of either party at all proper times after being drawn. At a time to be appointed by the Court, not less than twenty-four hours after the completion of such list, the parties shall be required, in open Court, to strike from such list one name alternately, the plaintiff striking first, till there shall be but fifty names remaining. Such fifty remaining jurors shall thereupon be summoned, as provided by law, to appear in Court on the day fixed for the trial. They shall not be bound to attend unless when summoned they are paid or tendered their fees for one day's attendance and mileage from their place of residence, if they demand it. When the venire is issued for said jurors, either party shall have the right, upon payment of his fees, to demand of the Clerk a duplicate of the venire, and he, or any citizen of the State in his behalf, may serve the same, which service shall have the same effect as if made by the Sheriff of the county. If on the day they are directed to attend, less than thirty jurors are in attendance, or if any of the jurors in attendance are for good cause or by consent of the parties excused by the Court, so as to reduce the number below thirty, the Court shall thereupon, if either party demand it, draw from the jury box an additional list of names, not less than double the number so deficient, who shall be summoned as herein provided to attend forthwith or on any day to which the trial may be adjourned; and this process shall be continued till there are at least thirty jurors for the parties to choose from; *provided*, that if any juror disobey the summons to attend, the Court shall, if either party demand it, compel his attendance by attachment before summoning additional jurors, unless the Court be satisfied that such attendance cannot be enforced within a reasonable time. When the attendance of not less than thirty jurors is secured, unless the parties consent to choose from a smaller number, said jurors may be sworn and examined by the parties on their *voir dire*, and after such examination, the plaintiff first and then the defendant, shall strike from the list one juror alternately till the number is reduced to twelve, or such less number as the parties may consent to, who shall be sworn to try the case; *provided*, that if

Struck
jury, how
demanded.

Struck
jury, how
obtained.

Venire,
how served

Proviso.

Struck
jury, how
formed.

Proviso. there be an uneven number of jurors to be stricken off, the Court shall strike off the last one; and if at any stage of the proceedings a party unreasonably delays to strike off a juror in his turn, the Court shall strike for such party so delaying to strike.

SEC. 2. Section one hundred and sixty-eight of said Act is hereby amended so as to read as follows:

Jury may decide in Court or retire.

Section One Hundred and Sixty-eight. After hearing the charge, the jury may either decide in Court or retire for deliberation. If they retire, they shall be kept together in a room provided for them, or some other convenient place under charge of one or more officers, until they agree upon their verdict or are discharged by the Court. The officer shall, to the utmost

Duty of officer in charge of jury.

of his ability, keep the jury separate from other persons. He shall not suffer any communication to be made to them, or make any himself, unless by order of the Court or Judge, except to ask them if they have agreed upon their verdict; and he shall not, before the verdict is rendered, communicate to any person the state of their deliberations, or the verdict agreed upon.

Parties may appoint persons to remain with officer.

Each party to the action may appoint one or more persons, one of whom on each side shall be entitled to remain with the officer or officers in charge of the jury, and to be present at all times when any communication is had with the jury, or any individual member thereof, and no communication, either oral or written, shall be made to or received from the jurors, or any of them, except in the presence of and hearing of such persons so selected by the parties; and in case of a written communication, it shall not be delivered till read by them.

Repeal.

SEC. 3. All Acts or parts of Acts, inconsistent or in conflict with this Act, are hereby repealed.

CHAP. XXV.—An Act to define and establish the boundary lines of Eureka County.

The People of the State of Nevada, represented in [Senate and] Assembly, do enact as follows:

Eureka County, boundary lines defined.

SECTION 1. The boundary lines of the County of Eureka are hereby defined and established as follows, to wit: Commencing at the northwest corner of Eureka County; running thence along the west boundary line of said Eureka County to the southwest corner of said county; thence east along the south boundary line of said county, to the southeast corner of said county; thence north along the east boundary line of said county, to the northwest corner of White Pine County; thence west to the one hundred and sixteenth (116) meridian; thence northerly to a point where the Central Pacific Railroad crosses the east boundary line of said Eureka County; thence north to the northeast corner of said Eureka County; thence west to the place of beginning.

SEC. 2. The County Recorder of Elko County is hereby

authorized and empowered, and it shall be his duty, to transcribe into suitable books, all the records in his custody appertaining or relating to or affecting the title to any property, situate within the portion of territory taken from the County of Elko and annexed to the County of Eureka, by virtue of the alteration and reestablishment of the boundary lines of said Eureka County, as described in section one of this Act. Said Recorder shall make suitable index to said record. Said transcript and index shall be made, as soon as practicable after the passage and approval of this Act, and, when completed, shall be delivered to the County Recorder of said Eureka County, and shall hereafter be kept in his office, and shall have the same force and effect as other county records.

Recorder of Elko County to make transcript of records.

Index to be made.

Transcript to be delivered to and kept by Recorder.

SEC. 3. The Recorder of Elko County shall be entitled to receive as compensation for the services hereby imposed, the same fees as now allowed by law for recording and indexing written instruments in his office. His claim for said compensation shall be allowed by the Commissioners of Eureka County, on completion and delivery of said transcript and index, and shall be paid as other claims against said county.

Compensation of Recorder.

To allow claim of Recorder for compensation.

STATE OF NEVADA, SENATE CHAMBER, }
CARSON, February 10th, 1875.

This is to certify that Senate Bill Number Two Hundred and Sixty-one, "An Act to define and establish the boundary lines of Eureka County" (passed at the sixth session of the Legislature), passed the Senate this day, notwithstanding the objections of the Governor, by the following vote: Yeas, 17; nays, 6.

C. C. STEVENSON,
President pro tem.

C. N. NOTEWARE,
Secretary of the Senate.

ASSEMBLY CHAMBER, CARSON CITY, }
NEVADA, February 16th, 1875.

This is to certify that Senate Bill Number Two Hundred and Sixty-one, "An Act to define and establish the boundary lines of Eureka County" (passed at the sixth session of the Legislature), passed the Assembly this day, notwithstanding the objections of the Governor, by the following vote: Yeas, 36; nays, 13.

H. H. BECK,
Speaker of the Assembly pro tem.

J. M. WOODWORTH,
Assistant Clerk of the Assembly.

CHAP. XXVI.—*An Act to amend an Act entitled "An Act to provide for the formation of corporations for certain purposes," approved March tenth, eighteen hundred and sixty-five.*

[Approved February 17, 1875.]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. Section five of said Act, of which this Act is amendatory, is hereby amended so as to read as follows:

Corporate powers, by whom exercised.

Annual election of Trustees.

Vacancies, how filled.

Petition for removal of officers.

Notice of meeting to remove officers.

Publication of notice.

Secretary to be appointed.

Section Five. The corporate powers of the corporation shall be exercised by a Board of not less than three Trustees—who shall be stockholders in the company—who shall, before entering upon the duties of their office, respectively, take and subscribe to an oath, as prescribed by the laws of this State, and who shall, after the expiration of the term of the Trustees first elected, be annually elected by the stockholders, at such times and place within the State, and upon such notice, and in such manner as shall be directed by the by-laws of the company; but all elections shall be by ballot, and each stockholder, either in person or by proxy, shall be entitled to as many votes as he or she may be entitled to represent, by proxy, shares of stock; and the person or persons receiving the greatest number of votes shall be Trustee or Trustees. Whenever any vacancy shall happen among the Trustees by death, resignation, or otherwise, except by removal and the election of his successor, as herein provided, it shall be filled by appointment of the Board of Trustees. On petition of the stockholders holding the majority of the stock actually issued by any corporation formed under this Act, to the District Judge of the district where said corporation has its actual place of business, verified by the signers, to the effect that they are severally the holders of, to the number of shares set opposite their signatures to the foregoing petition, the District Judge shall issue his notice to the stockholders of said company, that a meeting of the stockholders will be held at the Court-room of the District Court, in the county in which is said principal place of business, stating the time, not less than five nor more than ten days after the first publication of said notice, and the object to be taken into consideration, the removal of officers of said company; which notice, signed by the said District Judge, shall be published daily, in a daily newspaper published in said county, for at least five days before the time for the meeting; or, if there be no daily newspaper published in said county, then in such manner as the District Judge shall direct. At the time appointed by said notice, the said District Judge shall appoint a Secretary of the meeting, and shall thereupon hear the proofs of those claiming to be stockholders in said corporation; and only those showing a right to vote, or their proxies, shall take part in the further proceedings. Said Judge shall decide who are entitled to vote, in a summary way, and his decision shall be final. If it appears, at the time appointed, or within one hour thereafter, holders of less than one half the whole number [of] shares ac-

tually issued, or their proxies, are present, the meeting shall be dissolved; but if the holders of more than one half the shares actually issued, or their proxies, are present, they shall proceed to vote, the Secretary calling the roll, which he shall prepare by setting down the names of persons held to be entitled to vote, and the number of shares held by each, and such persons voting yea or nay, as the case may be; the Secretary shall enter the same upon his list, and, when he has added up the list and stated the result, he shall sign the same and hand it to the Judge, who shall declare the result. If the result of the vote is that the holders of a majority of all the shares of the company actually issued, or their proxies, are in favor of the removal of one or more of the officers of the company, the meeting shall then proceed to ballot for officers to supply the vacancies thus created. Tellers shall be appointed by the Judge, who shall collect the ballots and deliver them to the Secretary, who shall count the same in open session, and, having stated the result of the count, in writing, shall sign the same and hand it to the Judge, who shall announce the result to the meeting. The Judge shall thereupon issue to each person chosen a certificate, stating that, from the date of such meeting until the next annual election, unless removed under the provisions hereof, he is entitled to exercise and fill the office to which he is chosen; and shall indorse upon, or annex to said petition, a report of the proceedings of said meeting; and an order, requiring that all books, papers, and all property and effects of said corporation, be immediately delivered to the officers elect, and shall sign the same and file it with the Clerk of his Court; and thereafter, any disobedience to said order may be punished as other contempts of Court, and obedience thereto may be enforced by the Court of said district. The District Judge shall preside at said meeting, and put to vote such proper motions as he may be requested to submit to the meeting. In deciding any controverted question that may arise, he shall have the power to administer oaths and take testimony, either orally or by ex-parte affidavits. For all the services in these proceedings the County Clerk shall receive twenty dollars.

More than a majority of stock requisite to transact business.

How vacancies caused by removal shall be filled. Tellers to be appointed.

Certificate of election to be issued by Judge.

Report of proceedings of meeting.

District Judge to preside at meeting.

Act to take effect.

SEC. 2. This Act shall take effect immediately.

CHAP. XXVII.—An Act for the relief [of] Matthew Rinckle.

[Approved February 17, 1875.]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. The sum of twelve hundred and twenty-six dollars (\$1,226) is hereby appropriated out of any moneys in the General Fund of this State, not otherwise appropriated by law, or which may come into said General Fund, for the payment of

Appropriation.

the claim of Matthew Rinckle, for meats furnished to the State Prison.

Controller to draw warrant, etc.

SEC. 2. The Controller of State is hereby directed to draw his warrant, in favor of the said Matthew Rinckle, for said amount, and the State Treasurer is hereby directed to pay the same.

CHAP. XXVIII.—*An Act more fully defining the manner of collecting the taxes on movable personal property by the Assessor.*

[Approved February 18, 1875.]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

Controller to prepare receipts for personal property tax.

SECTION 1. It is made the duty of the State Controller to prepare suitable blank receipts, to be issued by the several County Assessors on the payment to them of the taxes on movable personal property. Such blank tax receipts shall be of the form selected by the Controller, and shall be consecutively numbered by him for each county, and shall be countersigned by the County Auditor.

Controller to issue receipts, when.

County Auditor to receipt therefor, etc.

SEC. 2. On or before the first of April in each year, the State Controller shall transmit to the several County Auditors a sufficient number of said blank tax receipts for use in each county. The County Auditor, on receiving such tax receipts, shall receipt to the Controller for the number so received, and shall immediately countersign and deliver them to the County Assessor, taking his receipt for the number so delivered.

County Assessor to make sworn return and file original schedules.

SEC. 3. It is hereby made the duty of the County Assessor, on the first Monday of each month, at the time of his returning a sworn list of all collections of taxes on movable personal property to the Auditor, as now provided by law, to also return all the original schedules of assessment of such property made the previous month, which schedules, after comparing with the sworn list of collections, the Auditor shall file in his office, and shall enter upon the assessment roll of his county for that year, when the same shall come into his hands.

Neglect of Assessor to report made misdemeanor.

SEC. 4. Should the County Assessor neglect or refuse to make the monthly statement of his collections of movable personal property tax as now required by law, or to file the original schedules of his assessments of such property as required by this Act, he shall be guilty of a misdemeanor in office, and shall, on conviction, be liable to a fine of not less than one hundred dollars or more than five hundred dollars, and imprisonment in the County Jail for not less than ten and not more than one hundred days, or both such fine and imprisonment, and shall be removed from office. In case of such neglect and refusal, the County Auditor shall immediately inform the District Attorney of his county of such facts, whose duty it is hereby made to commence proceedings against the Assessor under this Act.

Penalty.

County Auditor to report neglect of Assessor to District Attorney.

SEC. 5. Should the County Assessor give any other receipt on the payment to him of any tax on movable personal property than that provided for in this Act, he shall be guilty of a felony, and on conviction thereof, shall be punished by imprisonment in the State Prison for a term of not less than one year or more than five years, and shall be removed from office.

Issuance of other receipt made felony.
Penalty.

SEC. 6. The County Auditor shall be liable on his official bonds for double the amount of the loss that the State and county may sustain through the defalcation of the Assessor, or otherwise, in cases where he has not notified the District Attorney of the neglect or the refusal of the Assessor to make his monthly statement, under oath, of collection of the tax on movable personal property, as required by law. The State Controller shall have direction and control of all suits brought against the County Auditor under this Act; and a copy of the statement of amount lost by the State and county made out and certified by the Controller, with the official seal affixed thereto, shall be sufficient evidence to support an action in any Court of competent jurisdiction for the amount of such loss, without proof of the signature or official character of such Controller; subject, however, to the right of the defendant to plead and give in evidence as in other actions, all such matters as shall be legal and proper for his defense or discharge. All moneys recovered under such suit against the County Auditor, shall go, one half into the General Fund of the State, and one half into the General Fund of the county.

Liability of County Auditor failing to report defalcation.

Controller to have control of suit against Auditor, etc.

Disposition of moneys recovered.

SEC. 7. On the first Monday in December of each year, the Assessor shall return to the County Auditor all blank receipts for taxes on movable personal property, received by him and not used, and also, all stubs of the receipts used; and the County Auditor, after comparing the stubs of the receipts used with the monthly sworn statement made by the Assessor, and the original schedules of assessment of movable personal property on file in his office, shall immediately return such unused receipts and said stubs to the State Controller.

County Assessor to return unused receipts, etc., when.

County Auditor, duty of.

CHAP. XXIX.—*An Act to reduce the rate of State taxation.*

[Approved February 18, 1875.]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. For the fiscal year commencing January first, eighteen hundred and seventy-five, and annually thereafter, an ad valorem tax of ninety cents upon each one hundred dollars value of taxable property, is hereby levied, and directed to be collected and paid for State purposes, upon the assessed value of all taxable property in this State, including the proceeds of mines and mining claims, except such property as is by law exempt from taxation. On all property, other than the proceeds

Rate of State tax.

State tax,
how appor-
tioned.

of the mines, forty-two and one half (42½) cents of the tax shall go into the General Fund of the State; twenty-five (25) cents of the tax shall go into the Territorial Interest and Sinking Fund; five (5) cents of the tax shall go into the State Interest and Sinking Fund; twelve and one half (12½) cents shall go into the State Building Fund; and five (5) cents shall go into the General School Fund of the State. Of the tax levied on the proceeds of the mines and mining claims, seventy-two and one half (72½) cents shall go into the General Fund of the State; twelve and one half (12½) cents shall go into the State Building Fund, and five (5) cents into the General School Fund of this State.

Tax on
proceeds of
mines,
how appor-
tioned.

Conflicting
Acts
repealed.

SEC. 2. All Acts and parts of Acts, levying a tax for State purposes, so far as they conflict with the provisions of this Act, are hereby repealed.

CHAP. XXX.—*An Act to provide for the publication and distribution of Nevada Reports.*

[Approved February 20, 1875.]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

Nevada
Reports,
publica-
tion of.

SECTION 1. The decisions of the Supreme Court of the State of Nevada shall be published in volumes of the size, as nearly as may be, of the volumes heretofore published, and containing not less than five hundred pages.

Clerk of
Supreme
Court to
prepare
decisions,
etc., for
publica-
tion.

SEC. 2. The Clerk of the Supreme Court shall prepare such decisions for publication, by giving the title of each case, a syllabus of the points decided, a brief statement of the facts bearing on the points decided (when the same are not sufficiently stated in the opinion), the names of the counsel, and a reference to such authorities as are cited and have a special bearing on the case; and it shall be the further duty of said Clerk to prepare a full and comprehensive index to each volume of said decisions. Said Clerk may, in his discretion, employ a competent attorney to assist him in the preparation of said decisions, who shall be allowed a reasonable compensation for his services, not to exceed the sum of seven hundred dollars for each volume.

Clerk may
employ
attorney,
etc.

Clerk
appointed
Commis-
sioner to
contract,
etc.

SEC. 3. The Clerk of the Supreme Court is hereby appointed a Commissioner to contract, for and on behalf of the State, with some competent and responsible person or firm, for the printing and publishing of each volume of Reports thus prepared by him.

Title and
style of
Reports.

SEC. 4. The title to each volume shall be "Nevada Reports;" which title, together with the name of the Reporter and the number of the volume, shall be printed on the back of each book.

SEC. 5. It shall be the duty of said Commissioner to cause an advertisement to be inserted in one daily newspaper in the

City of Carson, and in one daily newspaper in the City of Virginia, and one daily newspaper in the City of San Francisco, for the period of thirty days, beginning on the first day of April, eighteen hundred and seventy-five, which advertisement shall invite sealed proposals for the printing and publication of the decisions of the Supreme Court of the State of Nevada, and shall explicitly state the terms of the contract to be awarded. All proposals submitted to the Commissioner under the provisions of this Act shall state the character of the paper and binding to be used, and the price to be paid for each volume, and the time for which the person or firm submitting the proposal is willing to continue the publication of said decisions upon the terms herein provided; said contract to be approved by at least two of the Judges of the Supreme Court.

Advertisement
inviting
proposals,
etc.

Approval
of contract.

SEC. 6. On the first Monday in May, eighteen hundred and seventy-five, after the expiration of the thirty days aforesaid, it shall be the duty of the said Commissioner to cause to be opened, in the presence of any or all of the persons submitting proposals who may so desire, all of the sealed proposals received by such Commissioner, and within one week thereafter he shall award the contract to the lowest competent and responsible bidder, for a term of not less than five nor more than eight years. Such contract shall require the publisher to print each volume on good calendered book paper, and to bind the same in the best law sheep, and shall require the publisher to issue each volume within ninety days after the manuscript for the same is delivered by the Commissioner to said publisher.

Bids, how
and when
opened.

Term of
contract.

SEC. 7. The proof sheets of said Reports, during the progress of their publication, shall be submitted to the Justices of the Supreme Court and receive their approval, and every claim for sums of money alleged to be due the publisher under the contract provided for in this Act, shall be accompanied by a certificate of the Justices of the Supreme Court, or a majority thereof, that the volumes for which payment is required are printed and published in accordance with the terms of the contract; and no claim for the publication of said Reports shall be allowed or paid except the same be accompanied by the certificate aforesaid.

Justices of
Supreme
Court to
examine
proofs and
certify
payments.

SEC. 8. The publisher shall agree to sell six hundred copies of each of said volumes of Reports to the State at the price stipulated in the contract, said price not to exceed three dollars per volume, and to keep on hand and for sale, at the price fixed in the contract, a sufficient number of copies of each volume to supply all demands for eight years from the publication thereof; and said publisher shall give bond for the fulfillment of the terms of the contract, in the sum of ten thousand dollars, which bond shall be filed with said Clerk of the Supreme Court, and approved by the Justices of the Supreme Court, or a majority thereof.

Price of
Reports,
etc.

Bond to be
given by
publisher.

SEC. 9. On the publication of each volume of said Reports, the Secretary of State shall purchase of said publisher, for the use of the State, six hundred copies thereof, and distribute the same in the manner following: To each State and Territory,

Secretary
of State to
purchase
Reports.

Distribu-
tion of
Reports.

one copy; to each of the heads of departments at Washington, one copy; to the library of Congress, two copies; to each of the Judges of the United States Circuit and District Courts in the States of Nevada, California, and Oregon, one copy; to the Nevada State Library, two copies; to each State officer, Justice of the Supreme Court, District Judge, District Attorney, County Clerk, and Justice of the Peace in this State, one copy; to the Clerk of the Supreme Court, one copy; and to each public library and literary association within this State, one copy. He shall also distribute said Reports to such literary and scientific institutions, publishers, and authors, as in his opinion may secure an interchange of works which may properly be placed in the State Library. The remaining copies shall be kept in the office of the Secretary of State, for the use of the Legislature when in session. All reports distributed to State, district, and other officers in this State, shall be for the use of the office, and shall be, by the person receiving the same, turned over to his successor in office; and the Secretary of State shall take proper receipts for such Reports.

Reports
distributed
to officers
to be for use
of office,
etc.

Repeal.

SEC. 10. An Act entitled "An Act to provide for the publication of the decisions of the Supreme Court of the State [of] Nevada," approved March thirteenth, A. D. eighteen hundred and sixty-seven, and all other Acts and parts of Acts, in conflict with this Act, are hereby repealed.

CHAP. XXXI.—*An Act to amend an Act entitled "An Act supplementary to an Act entitled 'An Act to provide revenue for the support of the government of the State of Nevada,' approved March ninth, eighteen hundred and sixty-five, and the Acts amendatory thereof; and providing for levying and collecting revenue for county purposes, and further prescribing the powers and duties of the Board of County Commissioners of the several counties of this State relative thereto," approved April second, eighteen hundred and sixty-seven.*

[Approved February 20, 1875.]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. Section one of this Act entitled "An Act supplementary to an Act entitled 'An Act to provide revenue for the support of the government of the State of Nevada,' approved March ninth, eighteen hundred and sixty-five, and the Acts amendatory thereof, and providing for levying and collecting revenue for county purposes, and further prescribing the powers and duties of the Board of County Commissioners of the several counties of this State relative thereto," approved April second, eighteen hundred and sixty-seven, is hereby amended so as to read as follows:

Section One. The Board of County Commissioners of the several counties of this State, in addition to their other powers

and duties, are hereby authorized and empowered to levy, and cause to be collected and paid in the manner provided by law for the assessment and collection of taxes for State purposes, an ad valorem tax for county purposes not exceeding the sum of one hundred and fifty cents on each one hundred dollars value of all taxable property in the county, including the proceeds of mines and mining claims.

County
Commiss-
sioners
authorized
to levy and
collect an
ad valorem
tax for
county
purposes.

CHAP. XXXII.—*An Act to amend an Act entitled "An Act amendatory of, and supplementary to, an Act entitled 'An Act to amend an Act entitled 'An Act amendatory of, and supplementary to, an Act of the Legislative Assembly of [the] Territory of Nevada entitled 'An Act to incorporate the City of Austin,' approved February twentieth, A. D. eighteen hundred and sixty-four,' approved March eighth, eighteen hundred and sixty-five," approved February twenty-seventh, A. D. eighteen hundred and sixty-six.*

[Approved February 20, 1875.]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. Section two of said Act is hereby amended so as to read as follows:

Section Two. The City of Austin is hereby divided into two wards, whose boundaries shall be as follows: The First Ward shall embrace all that portion of the city west of a line running northeast and southwest from the southerly boundary of said city to its northerly boundary; said line passing through the point known as Virginia street. The Second Ward shall extend from the eastern boundary of the First Ward to the eastern boundary of the city.

Wards
established
First Ward
Second
Ward.

SEC. 2. Section four of said Act is hereby amended so as to read as follows:

Section Four. The officers of the City of Austin shall be a Mayor, three Aldermen from the First Ward, three Aldermen from the Second Ward, a City Attorney, and such other officers as hereinafter authorized to be appointed by the Common Council. The above officers shall be elected by the qualified voters of each ward in the city, and shall hold their offices for a term of one year, and until their successors are elected and qualified. Each ward shall elect their own Aldermen.

Offices
created.
Election
and terms
of officers.

SEC. 3. Section five of said Act is hereby amended so as to read as follows:

Section Five. No person shall be eligible to the office of Mayor, Alderman, or City Attorney, who is not a qualified elector of the State of Nevada, or who has not been a resident of said city for at least six months preceding the election; and no person shall be entitled to vote for any city officer in any ward except the ward in which he resides.

Qualifica-
tions of
electors
and officers

SEC. 4. Section seven of said Act is hereby amended so as to read as follows:

General
election,
when
holden.

Common
Council to
appoint
Inspectors,
etc.

Clerks of
Election,
and duties
of.

Canvass of
votes.

Statement,
etc.

Common
Council to
declare
result and
issue
certificates.

Section Seven. The general election for Mayor, Aldermen, and City Attorney, shall take place on the last Monday in April of every year, commencing with the last Monday of April, in the year of our Lord one thousand eight hundred and seventy-five. The Common Council of said city shall, for each election, appoint two Inspectors of Election in each ward, and designate the place for opening the polls. All the provisions of law in force regulating elections, so far as the same are consistent with the provisions of this Act, shall apply to the election of city officers, by the voters of said city. The Inspectors of each ward shall appoint two Clerks, whose duty it shall be to take down, in writing, the name of each voter as his vote is deposited. After the polls shall have been closed, it shall be the duty of the Inspectors and Clerks of each ward to proceed immediately and canvass the votes cast at each ward, which canvass shall be in public. Within three days after each election, the Inspectors and Clerks of each ward shall deliver, to the person who shall have received the highest number of votes in each ward for Aldermen, a certificate of his election to said office. At every annual election the Inspectors and Clerks in each ward shall, immediately after the votes are counted, make out a statement of the number of votes cast in each ward for the office of Mayor, Alderman, and City Attorney, and the number of votes cast for each person to fill said offices, respectively, which statement shall be verified by them, under oath, to be correct. They shall also carefully seal up the votes and poll list, and direct the same to the Common Council of said city. It shall be the duty of the Clerk of such Election Board to deliver such sealed package and said certified statement to the Clerk of the Common Council, within three days after any election shall have been held. On the Saturday next after such election shall have been held, the Common Council shall proceed to ascertain, from said certified statement, what persons have received the highest number of votes in said city, for the office of Mayor, Aldermen, and City Attorney, and a certificate of election shall be issued by the Clerk, under their direction, to the persons who shall have received the highest number of votes for each of said offices, respectively. The Clerk of the Common Council shall keep the sealed packages containing the ballots and poll lists for thirty days, when, if no notice of any contested election shall have been given, he shall destroy the same.

SEC. 5. Section eight of said Act is hereby amended so as to read as follows:

Officers,
when to
qualify.

Office, when
deemed
vacant.

Section Eight. The Mayor, Aldermen, and City Attorney, chosen at any election, shall be qualified and enter upon the discharge of their duties within one week after being notified of their election; and any officers appointed by the Common Council shall be qualified and enter upon the discharge of their duties within one week after their appointment. If any person chosen for office at any election, or who shall be appointed to office by the Common Council, shall fail to qualify, as above required, the office for which he shall have been chosen or ap-

pointed shall be deemed vacant. All city officers, before entering upon the discharge of their duties, shall take the usual oath of office. Oath of office.

SEC. 6. Section eleven of said Act is hereby amended so as to read as follows:

Section Eleven. The Common Council shall meet on the first Tuesday after the election, and every two weeks thereafter during the year; and at such other times as they may, by adjournment or resolution, shall direct. The Mayor may call special meetings at any time he may think proper, by causing a written notice of such special meeting to be served upon each member of the Common Council. At all meetings of the Common Council the Mayor, when present, shall preside. Meetings of Common Council. Special meetings. Mayor to preside.

SEC. 7. Section twenty nine of said Act is hereby amended so as to read as follows:

Section Twenty-nine. The Common Council shall, each year, within one month after the annual election, elect by ballot, a Marshal, who shall be ex officio City Collector and Chief of Police; a City Clerk, who shall be ex officio City Assessor and Clerk of the Common Council; and a Treasurer, who shall hold their respective offices for a term of one year from the annual election, and until their successors are elected and qualified, unless they shall be previously removed for official misconduct. Officers to be elected by Council. Terms of.

SEC. 8. This Act shall take effect from and after the last Monday in April, in the year of our Lord one thousand eight hundred and seventy-five. Act to take effect.

SEC. 9. All Acts and part of Acts, in conflict with this Act, are hereby repealed.

CHAP. XXXIII.—*An Act granting the right of way for a railroad from the mines of the Virginia City Coal Company, Lyon County, to Virginia City, Nevada, and intermediate points.*

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. Michael Lynch, James Kelley, and R. M. Daggett, their associates and assigns, are hereby granted the right of way for the construction of a railroad, with such gauge and of such materials as they may determine, from the coal mines, in Lyon County, of the Virginia City Coal Company, a corporation doing business in and under the laws of the State of Nevada, to Virginia City and intermediate points, or from said coal mines, to connect with the road of the Virginia and Truckee Railroad Company, or with such point or points, by the nearest practicable route between said coal mines and Virginia City, as the grantees may determine. Right of way.

SEC. 2. It shall be the duty of the grantees herein named to make and complete the survey of said route before the first day of January, eighteen hundred and seventy-six, or of such part or parts thereof to which said road shall be extended; and said Survey of route.

Time
limited for
construc-
tion of road

grantees, their associates and assigns, shall complete all of such road which they may deem advisable to construct for the transportation of coal from said coal mine, within two years from the passage of this Act.

Grant of
same rights
as con-
ferred by
general
laws.

SEC. 3. To the grantees herein named, their associates and assigns, are extended all the rights, privileges, and franchises relating to rights of way, depots, acquiring and using property, etc., which are granted to railroad corporations under the general railroad laws of the State of Nevada.

Grantees of
Act may
form corpo-
ration or
transfer
franchise.

SEC. 4. At any time within two years after the passage of this Act, the grantees herein named, their associates and assigns, may form themselves into an incorporation, under the general laws of the State, or may transfer the rights, privileges, and franchises herein granted to the said Virginia City Coal Company.

STATE OF NEVADA,
CARSON CITY, February 17th, 1875. }

Certificate. This is to certify that Senate Bill Number Twenty-nine, returned this day with the objections of the Governor thereto, passed the Senate this day, on reconsideration, notwithstanding the objections of the Governor, by the following vote: Yeas, 21; nays, 1.

C. C. STEVENSON,
President pro tem.

C. N. NOTEWARE,
Secretary of the Senate.

STATE OF NEVADA, CARSON CITY,
ASSEMBLY CHAMBER, February 20th, 1875. }

Certificate. This is to certify that Senate Bill Number Twenty-nine has this day passed the Assembly, notwithstanding the objections of the Governor, by the following vote: Yeas, 45; nays, 2.

W. C. DOVEY,
Speaker of the Assembly.

J. M. WOODWORTH,
Assistant Clerk of the Assembly.

CHAP. XXXIV.—*An Act to amend an Act entitled "An Act to redistrict the State of Nevada," approved March seventh, eighteen hundred and seventy-three.*

[Approved February 20, 1875.]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. Section two of the above named Act is hereby amended so as to read as follows:

Terms of
Court.

Section Two. The terms of Court shall commence in said districts as follows: In the First District—On the first Monday in January, March, June, and October. In the Second District—In the County of Washoe, on the first Monday of January, April, and September; in the County of Ormsby, on the first

Monday of February, June, and November; *provided*, that the first term to be held in Ormsby County shall commence on the first Monday of March, A. D. eighteen hundred and seventy-five; in the County of Douglas, on the first Monday of May and December. In the Third District—On the first Monday in February, May, August, and November. In the Fourth District—On the first Monday in January, April, July, and October. In the Fifth District—In the County of Lander, on the first Monday in January, June, and October; in the County of Nye, on the first Monday in March, August, and November; in the County of Churchill, on the first Monday in May and December. In the Sixth District—In the County of White Pine, on the first Monday in January, May, and September; in the County of Eureka, on the first Monday in March, July, and November. In the Seventh District—On the first Monday in January, April, July, and October. In the Eighth District—On the first Monday of June and December. In the Ninth District—On the third Monday in February, June, and October; *provided*, that this Act shall not take effect in the Eighth District (Esmeralda County) till the third Monday of May, A. D. eighteen hundred and seventy-five; and in the Ninth District (Elko County) it shall not take effect till the third Monday of June, A. D. eighteen hundred and seventy-five.

Act to take effect.

CHAP. XXXV.—*An Act to amend an Act entitled "An Act to regulate and make effectual the power of the Governor, Justices of the Supreme Court, and Attorney General, to remit fines and forfeitures, commute punishments, and grant pardons after convictions," approved February eighth, eighteen hundred and sixty-seven.*

[Approved February 20, 1875.]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. Section three of said Act is hereby amended so as to read as follows:

Section Three. Any person intending to apply to have a fine or forfeiture remitted, or a punishment commuted, or a pardon granted, or some one in his behalf, shall make out duplicate copies of notices in writing of such application, specifying therein the Court in which the judgment was rendered, the amount of the fine or forfeiture, or kind or character of punishment, the name of the person in whose favor the application is to be made, the particular grounds upon which the application will be based, and the time when it will be presented, one of which he shall serve on the District Attorney and one on the District Judge for the county where the conviction was had; *provided*, in cases of fines and forfeitures a similar notice shall also be served on the Chairman of the Board of County Commissioners. The notice shall be served as herein provided, at least

Pardons or remission of fines or forfeitures.

Notice to Board of County Commissioners.

Service of notice. thirty days prior to the presentation of the application, unless a member of the Board of Pardons, for good cause, prescribe a shorter time. When a pardon is granted for any offense committed, such pardon may or may not include restoration to citizenship. If the pardon include restoration to citizenship, it shall be so stated in the instrument or certificate of pardon; and when granted upon conditions, limitations, or restrictions, the same shall be fully set forth in the instrument as aforesaid. Such instrument or certificate shall also contain an order to the officer having the person in custody to discharge him or her from such custody, upon a day to be named in said instrument, upon the conditions, limitations, or restrictions therein named.

Duty of Judge, etc., receiving notice of application for pardon, etc. SEC. 2. It shall be the duty of all District Judges, attorneys, and County Commissioners receiving notice of an application for a pardon, commutation, or remission of punishment, or fine or forfeiture, to transmit forthwith to the Board of Pardons a statement in writing of all matters within their knowledge affecting the merits of such application.

Member of Board may administer certain oaths. SEC. 3. Any member of the Board of Pardons shall have authority to administer an oath or affirmation to any person offering to testify upon the hearing of an application for a pardon, or the commutation of a punishment, or the remission of a fine or forfeiture; and any District Judge, County Clerk, or Notary Public may take and certify affidavits and depositions to be used upon such applications, either for or against the same.

False oath, etc., made perjury. SEC. 4. Every person having taken a lawful oath or made affirmation in an application to the Board of Pardons for a pardon or commutation of punishment, or the remission of a fine or forfeiture, who shall swear or affirm willfully, corruptly, and falsely in any matter material to the issue or point in question, or shall suborn any other person to swear or affirm as aforesaid, shall be deemed guilty of perjury, or subornation of perjury (as the case may be), and upon conviction thereof shall be punished by imprisonment in the State Prison for any term not less than one nor more than fourteen years.

Penalty. SEC. 5. No notice shall be required of an application for a restoration to citizenship to take effect at the expiration of a term of imprisonment, or for the commutation of the death penalty.

Restoration to citizenship and commutation of death penalty.

CHAP. XXXVI.—*An Act to detach a portion of the territory of Nye County from said county and to attach the same to Lincoln County.*

[Approved February 20, 1875.]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. The following described territory, now a portion of Nye County, Nevada, is hereby detached from said Nye County and is hereby attached to and made a part of Lincoln

County, Nevada, to wit: All that territory embraced within the following boundaries: Commencing on the north line of Lincoln County, at a point where the one hundred and fifteenth parallel of longitude crosses said line; thence due north forty-five miles, more or less, to a point due west of the north line of "A. Prairie's" farm (northeast of Patterson Station); thence from said point west of A. Prairie's farm due east fifty-one miles, more or less, to the east line of the State; thence south along said State line forty-five miles, more or less, to the present north line of Lincoln County; and thence west along the said north line of Lincoln County to the place of beginning.

Territory detached from Nye County and attached to Lincoln County.

SEC. 2. All suits now pending in the District Court in and for Nye County, which in any way appertain to property, real, personal, or mixed, situate within the territory hereby detached from said Nye County and attached to Lincoln County, and all actions for the recovery of any debt between citizens now living within the boundaries of the said territory detached from Nye County, shall, within twenty days from the date of the approval of this Act, be, by the County Clerk of said Nye County, duly and legally transferred and certified to the Clerk of Lincoln County, together with all papers and documents pertaining to the same, which shall be by said Clerk of Lincoln County filed in his office and entered in the calendar of the District Court in and for Lincoln County, at the first term thereof after the receipt of the same; *provided*, where both the plaintiff and defendant to any suit, residing within the limits of the said territory hereby detached from Nye County, pending in the District Court in and for Nye County, shall file with the County Clerk of Nye County, prior to the twenty days above mentioned, a statement consenting or requesting that the suit to which they are parties may be determined in said District Court in Nye County, then, and not otherwise, said suit or suits shall not be transferred, as herein provided. And any suit or suits transferred, as herein provided, from the said District Court in and for Nye County to the District Court in and for Lincoln County, shall be heard, tried, and determined, in all respects, as though originally commenced in said last mentioned Court.

Transfer of pending suits and actions.

Suits retained, upon consent filed, etc.

SEC. 3. The County Recorder of Nye County is hereby authorized and empowered, and it shall be his duty to transcribe into suitable books all the records in his custody pertaining or relating to or affecting the title to any property situated within the limits of the territory hereby detached from said Nye County, and to make a suitable index thereto. Said transcript and index shall be made as soon as practicable after the passage and approval of this Act (and within sixty days after the passage and approval of the same), and, when completed, shall deliver the same to the County Recorder of Lincoln County, and they shall thereafter be kept in his office, and shall be, for every purpose, of the same force and effect as other county records. The Recorder of Nye County shall be entitled to receive, as compensation for the services hereby imposed, one half of the fees now allowed by law for recording and indexing written instruments in his office. His claims for said compen-

Recorder of Nye County to make transcript.

Compensation.

sation shall be allowed, upon presentation, by the County Commissioners of Lincoln County, on the completion and delivery of said transcript and index, and be paid as other claims against said county.

Taxes, how collected.

SEC. 4. The taxes levied upon the property situated within the limits of the territory hereby detached from Nye County, for the year A. D. eighteen hundred and seventy-four, shall be collected by Nye County and paid into the Treasury of said county, the same as though this Act had not been passed.

Debt of Nye County.

SEC. 5. Lincoln County shall pay to Nye County such proportion of the whole present debt of Nye County as the taxable property in the territory above described bears to the whole taxable property of Nye County, as shown on the assessment roll of Nye County for the year A. D. eighteen hundred and seventy-four. Said payment to be made in gold coin within one year from the approval of this Act, out of a special fund, to be created by the Board of County Commissioners of Lincoln County, for the payment of said debt.

Act to take effect.

SEC. 6. This Act shall take effect and be in force from and after its approval.

CHAP. XXXVII.—*An Act to amend an Act entitled "An Act to amend an Act entitled 'An Act to incorporate the City of Virginia, provide for the government thereof, and repeal all other laws in relation thereto,' approved March fourth, eighteen hundred and sixty-five," approved February twenty-fourth, eighteen hundred and sixty-six, and to repeal section eight of an Act entitled "An Act to restrict gaming," passed March fourth, A. D. eighteen hundred and sixty-nine.*

[Approved February 20, 1875.]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. Section one of the Act of which this Act is amendatory is hereby amended so as to read as follows:

Section One. Section seventeen of "An Act to incorporate the City of Virginia, provide for the government thereof, and repeal all other laws in relation thereto," approved March fourth, eighteen hundred and sixty-five, is hereby amended so as to read as follows:

Powers Board of Aldermen. Ordinances

Section Seventeen. The Board of Aldermen shall have power:

First—To make by-laws and ordinances, not repugnant to the Constitution or laws of the United States or of the State of Nevada.

Taxes.

Second—To levy and collect taxes on all property within the city, both real and personal, made taxable by law for State or county purposes, which tax shall not exceed in the aggregate one per cent. per annum upon the assessed value of all such property, and to use the labor of the prisoners imprisoned in

the City Jail in such manner as they may deem proper; *provided*, that nothing in this subdivision shall be so construed as to authorize said Board to establish a chain-gang within the limits of said city.

Third—To lay out, extend, and alter the streets and alleys, provide for the grading, draining, cleaning, widening, lighting, or otherwise improving the same; also, to provide for the construction, repair, and preservation of sidewalks, bridges, drains, and sewers, and for the prevention and removal of obstructions from the streets and sidewalks, and to condemn property for the public use, in the following manner: the Board of Aldermen shall appoint one referee, and the owner or owners of such property so to be condemned shall appoint one referee, and in the event that the two referees so appointed shall not agree in the valuation of the property, then the two so selected shall choose a third referee, and a decision of a majority of such three referees with regard to the valuation of the property appraised by them shall be the decision of all. Any person aggrieved by the decision of such referees may appeal from the same to the District Court of the First Judicial District, at any time within thirty days from the rendition thereof.

Fourth—To provide for the prevention and extinguishment of fires; also, to organize a fire department, regulate, establish, and disband fire companies.

Fifth—To regulate the storage of gunpowder and other explosive or combustible materials.

Sixth—To prevent and remove nuisances; also to determine what are nuisances.

Seventh—To create and establish a city police and jailers, to prescribe their duties and compensation, and provide for the regulation and government of the same; but the pay of the regular policemen and jailers employed at any one time shall not exceed the sum of ten thousand dollars per annum.

Eighth—To fix and collect a license tax on and regulate all theaters and theatrical performances, circuses, shows, billiard tables, bowling alleys, and all exhibitions and amusements; to fix and collect a license tax on and regulate all taverns, hotels, and restaurants, saloons, bar-rooms, bankers, brokers, gold dust buyers, manufacturers, livery stables and livery stable keepers, express companies, and persons engaged in the business of transmitting letters or packages, and stage companies or owners, whose place of business is in said city or who shall have an agency therein; to license and regulate auctioneers and stock brokers; to license, tax, and regulate, prohibit and suppress all tipping houses, dram shops, raffles, hawkers, peddlers and pawnbrokers, refreshment or coffee stands, booths and sheds; also, to license, tax, and regulate all gaming, games of chance, banking games, and gambling houses; to prohibit, suppress, or regulate disorderly houses and houses of ill-fame; also to confine houses of ill-fame within certain limits; to fix and collect a license tax upon all professions, trades, or business not heretofore specified, having regard to the amount of business done by each person or firm thus licensed.

Ninth—To provide for all necessary public buildings for the use of the city.

Health. Tenth—To establish a Board of Health to prevent the introduction and spread of disease.

Public peace. Eleventh—To prevent and restrain any riot or riotous assembly or disorderly conduct within said city.

Fines and penalties. Twelfth—To fix and prescribe the punishment for the breach of any city ordinance; but no fine shall be imposed for one offense in any sum greater than five hundred dollars, and no term of imprisonment shall be prescribed of more than six months.

To compel attendance of members, etc. Thirteenth—To compel the attendance of absent members, to punish members for their disorderly conduct, and to expel members for cause by a vote of three fourths of its members elected; and also to fill all vacancies occurring in their own number or in the office of any city officer mentioned in this Act.

City contracts. Fourteenth—To make all necessary contracts and agreements for the benefit of the city; but no contract shall be made, nor any debt contracted, nor liability incurred, unless there is at the time actual cash in the Treasury to meet such liabilities; to appropriate money for any item of city expenditure, and to appropriate to the use of the city all fines, penalties, and forfeitures for the breach of any city ordinances.

Repeal. SEC. 2. Section eight of an Act entitled "An Act to restrict gaming," passed March fourth, A. D. eighteen hundred and sixty-nine, is hereby repealed.

CHAP. XXXVIII.—*An Act to fix the compensation of the Clerk of the Supreme Court.*

[Approved February 24, 1875.]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

Compensation. SECTION 1. The Clerk of the Supreme Court shall receive for his compensation the sum of three thousand six hundred dollars annually, payable quarterly out of the same fund and in the same manner that the salaries of other State officers are paid.

Fees collected to be paid into State Treasury. SEC. 2. All fees hereafter collected by the Clerk of the Supreme Court as provided by law, shall be paid into the State Treasury at the end of every quarter, and shall be apportioned to the General Fund.

Official bond. SEC. 3. Said Clerk of the Supreme Court shall execute an official bond, with two or more sureties, made payable to the State of Nevada, in the penal sum of ten thousand dollars; which bond shall be approved by the Board of Examiners, and filed with the Secretary of State.

Statement to be made to Legislature. SEC. 4. The Clerk of the Supreme Court shall make a full statement of all his proceedings under this Act to each succeeding Legislature.

CHAP. XXXIX.—*An Act relative to the surplus General Fund of Storey County.*

[Approved February 24, 1875.]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. Whenever it is ascertained that there is a surplus of money in the General Fund of Storey County, it shall be the duty of the Board of County Commissioners of said county to order, and the County Treasurer thereof to transfer on such order: First, so much of said fund as will be necessary to maintain the public schools of said county to the School Fund thereof; and, second, the balance of money remaining in said General Fund to the Railroad Interest and Sinking Fund provided for in the Act entitled "An Act to authorize the Commissioners of Storey County to issue to the Virginia and Truckee Railroad Company, bonds to the amount of three hundred thousand dollars, and to provide for the payment of the same," approved February first, eighteen hundred and sixty-nine, to be used and applied according to the provisions of said Act.

Transfer from General Fund to School Fund, when to be made, etc.

CHAP. XL.—*An Act to reimburse C. N. Noteware for moneys expended in going to Washington City, in A. D. eighteen hundred and sixty-nine, in connection with State land selections.*

[Approved February 25, 1875.]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. The sum of five hundred dollars is hereby appropriated out of any moneys now in the General Fund, or hereafter coming into said fund, not otherwise specifically appropriated, to pay the claim of C. N. Noteware, for expenses incurred by him in going to Washington City, as the representative of the Board of Regents of this State.

Appropriation.

SEC. 2. The State Controller is hereby authorized and directed to draw his warrant in favor of the said Noteware, for the sum of five hundred dollars, and the State Treasurer is hereby authorized to pay the same out of the appropriation created by this Act.

Controller to draw warrant, etc.

CHAP. XLI.—*An Act for the relief of B. H. Meder.*

[Approved February 25, 1875.]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

Appropriation.

SECTION 1. The sum of two hundred and forty-one dollars is hereby appropriated to pay B. H. Meder, for material and labor furnished in March and April, A. D. eighteen hundred and seventy, by order of the Board of Capitol Commissioners, for completing the porticoes of said Capitol building.

Controller to draw warrant, etc.

SEC. 2. The Controller of State is hereby authorized and required to draw his warrant on the State Treasurer for the payment of said sum to said Meder, out of any moneys in the General Fund not otherwise appropriated.

CHAP. XLII.—*An Act defining the rights of common carriers, as to disposition of unclaimed property.*

[Approved February 25, 1875.]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

Storage of unclaimed freight, etc.

SECTION 1. When any goods, merchandise, or other property has been received by any railroad or express company, or other common carrier, commission, forwarding merchant, or warehouseman, for transportation or safekeeping, and are not delivered to the owner, consignee, or other authorized person, the carrier, commission, forwarding merchant, or warehouseman may hold or store the same with some responsible person until the freight and all just and reasonable charges on same are paid.

Responsibility of carrier after notice, etc.

SEC. 2. If a consignee does not accept and remove freight within twenty-four hours after notice has been served on him by the carrier, the carrier is released from further liability, by placing the freight in a suitable warehouse on storage, or the carrier may hold the same upon his responsibility as a warehouseman.

Service of notice in certain cases.

SEC. 3. If the consignee's place of residence or business be unknown, notice may be served on him through the Post Office, and the carrier may place the freight in a suitable warehouse on storage, and give notice thereof to the consignor.

Perishable freight may be sold, when.

SEC. 4. If from any cause other than want of ordinary care and diligence on his part, a common carrier is unable to deliver perishable property transported by him, and collect his charges thereon, he may cause the property to be sold in open market to satisfy his lien of freightage.

SEC. 5. If no person calls for the freight or other property

received by such railroad, express company, or other common carrier, commission, forwarding merchant, or warehouseman, within sixty days from the receipt thereof, the carrier, forwarding, commission merchant, or warehouseman may sell such property, or so much thereof, at auction to the highest bidder, as will pay freight and other just and reasonable charges, first having given notice of the time and place of sale to the owner, consignee, or consignor, when known, and by advertisement in a daily paper ten days, or if a weekly paper, four weeks, published where such sale is to take place, or if there is no paper published at the place where such sale is to take place, by posting a notice of the sale conspicuously in at least three public places; and if any surplus is left after paying freight, storage, cost of advertising, and other reasonable charges, the same must be paid over to the owner of such property, at any time thereafter, on demand being made therefor within six months after the sale; *provided*, that any trunk or valise, with their contents, shall be held six months before being advertised for sale.

Sale of property to pay freight, when may be made, etc.

Surplus proceeds of sale, how disposed of.

SEC. 6. If the owner, or his agent, fails to demand such surplus within six months from the time of such sale, then it shall be paid over to the County Treasurer of the county in which the sale is made, to be held by him for a period of twelve months, subject to the order of the owner, after which time, if the same is not paid to the owner, or his authorized agent, or some person legally entitled to receive the same, it shall be paid over to the Treasurer of the county where such sale is made, who shall pay the same over to the State Treasurer for the benefit of the State School Fund.

Unclaimed proceeds of sale, how disposed of.

CHAP. XLIII.—An Act to incorporate Carson City.

[Approved February 25, 1875.]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. On and after the first Monday in March, A. D. eighteen hundred and seventy-five, and for the purposes hereinafter mentioned, the inhabitants of that portion of the County of Ormsby embraced within the limits hereinafter set forth, shall be a body politic and corporate, by the name and style of Carson City, and by that name they and their successors shall be known in law, have perpetual succession, and sue and be sued in all Courts. The boundaries of said Carson City shall be as follows: Beginning at the center of the southeast quarter of section eight, in township number fifteen north, of range number twenty east, Monte Diablo base and meridian; running thence due west three fourths of a mile to the west boundary of said section eight; thence south one fourth of a mile to the southwest corner of said section eight; thence due west on the

Corporation created.

Boundaries of Carson City.

section line to a point due north of the west line of Elizabeth street; thence due south to the north line of Washington street; thence west along said north line of Washington street to the west boundary line of the east half of the northeast quarter of section eighteen; thence due south to the south boundary line of sections seventeen and eighteen, same township and range; thence east along said southern boundary line of sections seventeen and eighteen one mile to a point due south of the place of beginning; and thence north one and one fourth miles to the place of beginning.

Wards
established

SEC. 2. Carson City shall be divided into two wards as follows: All that portion of the city lying south of a right line passing through and along the center of Proctor street, and extending from the western to the eastern boundary of the city, shall and is hereby declared to be the First Ward; and all that portion of the city lying north of said line, shall and is hereby declared to be the Second Ward.

Corporate
powers
vested in
Board of
Trustees.

SEC. 3. The corporate powers of the city shall be vested in a Board of Trustees, to consist of five members, who shall be actual residents and owners of real estate in the city, and who shall be chosen by the qualified electors thereof.

First Board
of Trustees,
of whom
composed.

SEC. 4. The Board of Trustees, for the first year, shall consist of Henry F. Rice and A. B. Driesbach, representing the First Ward; David A. Bender and William H. Corbett, representing the Second Ward, and Jacob Klien from the city at large, whose duty it shall be, upon the first Monday in March, eighteen hundred and seventy-five, to assemble at the Court House in Carson City, take the oath of office as such Trustees, and hold their first meeting as a Board of Trustees. Before entering upon any other business, the Trustees above named representing the First Ward, shall determine their several terms of office by lot; and, as so determined, the one Trustee shall continue in office until the first Monday in May, A. D. eighteen hundred and seventy-six, and until his successor is duly qualified; and the other of said Trustees shall hold his office as such, until the first Monday in May, eighteen hundred and seventy-seven and until his successor is duly qualified; and the other two Trustees, hereinbefore named as representing the Second Ward, shall then and there, in like manner determine, by lot, their several terms of office, and shall, as so determined, hold in all respects as the Trustees of the First Ward. The Board shall then elect one of their number, who shall be the President of the Board of Trustees until the first annual election taking place under the provisions of this Act, and the Board shall then proceed generally upon their duties.

Terms to be
decided by
lot.

President
of Board.

Annual
election,
etc.

SEC. 5. On the first Monday in May, eighteen hundred and seventy-six, and annually thereafter on said day, there shall in each ward of the city be elected one Trustee, who shall be a resident and owner of real estate in such ward, and shall continue in office for the term of two years; and at each of said elections there shall be elected one Trustee at large for the city, who shall hold his office for the term of one year and until his successor shall have duly qualified; the Trustee so elected shall be President of the Board of Trustees of Carson City. There shall also be elected at each annual election such

additional Trustee or Trustees as shall be necessary to fill all unexpired terms of office existing in the Board through vacancies occurring in the terms of the regularly elected Trustees. Whenever any vacancy or vacancies occur in the Board, it shall be the duty of the remaining Trustees, or a majority thereof, to fill such vacancy or vacancies by appointment of a qualified person or persons from the proper ward or wards; and the Trustee or Trustees so appointed shall hold his or their office until the next annual election, when any unexpired term or terms of shall be filled by election, as hereinbefore provided.

Vacancies,
how filled.

SEC. 6. All provisions of law which now are or hereafter may be in force regulating elections and providing for the registration of electors, so far as the same may be consistent with the provisions of this Act, shall apply to the election of the Trustees. The Board of Trustees shall, for two weeks prior to each annual election, publish notice in a newspaper published in Ormsby County, to the effect that such election will take place in said city for the election regularly of three Trustees, and, as the case may be, of such other Trustee or Trustees as may be necessary to fill any unexpired term or terms of office in said Board, and in such notice naming the day on which such election will be held, and designating a polling place in each ward and the names of three Inspectors of Election for each ward. As soon as the votes are counted and tallied, the Inspectors shall make out a statement and return of the same, and deposit the same with the Board of Trustees, in manner and form as required by the general election laws; and within three days thereafter the Board of Trustees shall proceed to canvass the same, and cause the issuance of a certificate or certificates of election by its Clerk, in manner and form as provided by law concerning elections. The election of any person to the office of Trustee may be contested, in the manner and form as provided by statute concerning general elections.

Provisions
of general
election
law, etc.,
applicable.

Contest,
how made.

SEC. 7. The Trustee or Trustees chosen at any election held under this Act, or appointed to fill a vacancy, shall take the official oath provided by law within five days after due notice of such election or appointment, and upon failure thereof his office shall be declared vacant; *provided*, that in case the person so elected be absent from the county at the time of his election, he shall be allowed twenty days in which to return and qualify and enter upon the duties of his office.

Oath of
office of
Trustee.

SEC. 8. The President of the Board of Trustees shall preside at the meetings of the Board, and shall perform such other duties as the Board may prescribe. After the annual election in eighteen hundred and seventy-six, any vacancy occurring in the term of the Trustee who is by virtue of this Act the President of the Board, shall be filled by appointment from either ward of the city. Any vacancy occurring prior to said election in the office of the Trustee at large, may be filled in like manner from either ward of the city. In any case where a vacancy occurs in the office of the Trustee who is President of the Board, the Board of Trustees, after all vacancies shall have been filled, shall elect one of their number, who shall be the President of the

Duties of
President.

Board until the next annual election. At any meeting of the Board, in the absence of the President, the other Trustees shall designate one of their number who shall be President pro tem. of the Board.

Meetings of
Board of
Trustees.

SEC. 9. The Board of Trustees shall hold regular meetings on the second Monday in each month, and such other meetings as by adjournment or resolution they may determine; but the President of the Board shall have power to call special meetings whenever in his judgment it may be necessary. A majority of the Board shall constitute a quorum for business.

Powers of
Board of
Trustees.
Institute and defend
actions.

SEC. 10. The Board of Trustees shall have power:

First—To institute and maintain any suit or suits of the city, in the proper Court or Courts, whenever necessary, in their judgment, to enforce or maintain any right or rights of the city; and they may in like manner, at their sound discretion, defend all actions brought against the city.

Levy taxes.

Second—They shall annually levy a tax of not less than one quarter of one per cent. nor exceeding one per cent. upon the assessed value of all real and personal property situate in the city and made taxable by law for State and county purposes.

Streets and
alleys.

Third—To lay out, extend, and alter the streets and alleys in the city, and provide for the grading, draining, cleaning, widening, lighting, or otherwise improving the same; also, to provide for the construction, repair, and preservation of sidewalks, bridges, drains, and sewers, and for the prevention and removal of obstructions from the streets and sidewalks of the city; *provided*, that said Board may, in its discretion, assess the cost, or a portion thereof, of improving any street, or building or repairing a sidewalk, to the owner or owners of the property in front of which said street or sidewalk, or proposed sidewalk, may be, and may make such costs of improvement, repair, or building a lien upon such property.

Condemna-
tion of
property.
Prevention
and extin-
guishment
of fires.

Fourth—To condemn property for the use of the inhabitants of the city in the manner hereinafter provided.

Fifth—To provide for the prevention and extinguishment of fires, and organize, regulate, establish, and disband fire or hose companies in the city.

Storage of
gunpowder

Sixth—To regulate the storage of gunpowder and other explosive or combustible materials within the city.

Nuisances.

Seventh—To determine what shall be deemed nuisances in such town or city, and provide for the punishment, prevention, and removal of the same.

Licenses.

Eighth—To fix and collect a license tax on and regulate all theaters and theatrical performances, circuses, shows, billiard tables, bowling alleys, and all exhibitions and amusements within the city; to fix and collect a license tax on and regulate all taverns, hotels, restaurants, saloons, bar-rooms, bankers, brokers, gold dust buyers, manufacturers, livery stables, and livery stable keepers within the city, and express companies, persons engaged in the business of transmitting letters or packages, stage companies, or the owners of stages or stage lines, who have a place of business in said town or city, or any agency therein; to license and regulate auctioneers and stock brokers within the city; to license, tax, and regulate, and prohibit or suppress all tippling houses, dram shops, saloons, and

raffles, and license or tax all hawkers, peddlers (provided that no tax or license shall be required for peddling the agricultural productions of the State), pawnbrokers, refreshment or coffee stands, booths, and sheds within this city; to regulate or prohibit or suppress prostitution and unlicensed gaming and disorderly houses, dance houses, and houses of ill-fame within the city; to levy and collect an annual tax upon all dogs within the city, and provide for the extermination of dogs for which such tax shall not have been paid, and to prevent all other animals from running at large in the city; to fix and collect a license tax upon all professions, trades, or business within the city not heretofore specified.

Proviso.
Prostitution,
gaming,
etc.

Ninth—To provide for the issuance of all licenses in this Act mentioned or authorized to be issued, and to fix the terms on which and the sums for which the same shall issue.

Issuance of
licenses.

Tenth—To prevent, punish, and restrain any disorderly conduct within the city.

Disorderly
conduct.

Eleventh—To hold, manage, use, and dispose of the real and personal property of the city, and collect all dues and demands belonging to or coming to the same; but no sale of any such property shall be made until after it is appraised by three appraisers, taxpayers of the city, at the actual market value, nor shall it be sold for less than three fourths of such appraised value.

Management of city
property.

Twelfth—To fix and prescribe the punishment for the breach of any ordinance made or adopted by said Board of Trustees, to be enforced within the city; but no fine shall be imposed, for one offense, in a sum greater than five hundred dollars, and no term of imprisonment shall be more than six months, but in lieu of imprisonment, any person committed for punishment may be made to work on any public work in the city; *provided*, nothing herein contained shall authorize the formation of a chain-gang in the city.

Penalty for
infraction
of ordi-
nances, etc.

Thirteenth—To pass or adopt all ordinances, rules, and regulations, and do and perform all other acts and things necessary for the execution of the powers and jurisdiction by this Act conferred, and to audit and allow all claims properly payable out of the funds of the city; *provided*, that the Board shall not have the power to audit or allow any claims whatever, unless there be sufficient money in the Treasury to pay the same at the time of such allowance. Any property, real or personal, necessary for the public use of the city, may be condemned and appropriated in the following manner: The Board of Trustees shall appoint one referee, and the claimant or claimants, or owner or owners of the property to be condemned, shall appoint one referee; and in the event the two referees so appointed shall not agree in the valuation of the property or claimant's interest therein, then the two so appointed shall select a third referee, and the decision of the majority of such three, as to the valuation of the property or the interest therein by them appraised, shall be reported to said Board of Trustees, and may by them be regarded and held as final and binding; and upon the tender, in gold coin, of the sum named by said appraisers for such property to the claimant or claimants, owner or owners thereof, or his or their agent or attorney, such property, or the

Ordinances

Claims not
to be
allowed,
when.

Condem-
nation of
property.

Condemnation of property.

interest therein appraised, shall become and be the property of the city; and the said Board of Trustees may, at any time after twenty days' notice, cause the Marshal of the city to remove all persons and obstructions from such property, in case the same be real, and may take immediate possession of the condemned property, whether the same be real or personal. In case the claimant or claimants, owner or owners of property sought to be condemned as herein provided, shall refuse or neglect, when required by the Board of Trustees, to appoint a referee to value such property, the said Board of Trustees shall constitute a Board of Appraisers of such property, and their valuation of the same shall be final and binding; but no act of condemnation [of property] or of any claim of interest therein, as herein provided, shall be deemed or held as an admission on the part of the city of the legality of the asserted claim thereto, or right therein; and in the condemnation of property, as in this Act provided, the referees or Board of Trustees, as the case may be, shall consider whether the proposed improvements, for which such property is so condemned, will be of any benefit to the persons owning or claiming the said property or some interest therein, and if they find that the same will be a benefit to such person or persons, they shall estimate the value of such benefit to him or them and deduct the amount thereof from the estimated value of the property or interest therein condemned.

Police.

Fourteenth—To cause the City Marshal to appoint one or such number of policemen as they shall from time to time determine, who shall be under the direction and control of the City Marshal.

County Treasurer to act as City Treasurer ex officio.

SEC. 11. The Treasurer of Ormsby County shall, in addition to the duties now imposed upon him by law, act as the Treasurer of the city, and shall be *ex officio* the City Treasurer.

County Assessor to act as City Assessor ex officio.

SEC. 12. The Assessor of Ormsby County shall, in addition to the duties now imposed upon him by law, act as the Assessor of the city, and shall be *ex officio* the City Assessor.

District Attorney to act as City Attorney ex officio.

SEC. 13. The District Attorney of Ormsby County shall, in addition to the duties now imposed upon him by law, act as the Attorney of the city, and shall be *ex officio* the City Attorney.

Sheriff to act as City Marshal ex officio.

SEC. 14. The Sheriff of Ormsby County shall, in addition to the duties now imposed upon him by law, act as the Marshal of the city, and shall be *ex officio* the City Marshal.

County Clerk to act as City Clerk ex officio.

SEC. 15. The County Clerk of Ormsby County shall, in addition to the duties now imposed upon him by law, act as Clerk of the city and of the Board of Trustees, and shall be *ex officio* the City Clerk.

Justice of the Peace to act as City Recorder ex officio.

SEC. 16. The Justice of the Peace of Carson Township, Ormsby County, shall, in addition to the duties now imposed upon him by law, act as the Recorder of Carson City, and shall be *ex officio* the City Recorder, with the like jurisdiction as commonly conferred upon Recorders' Courts in municipal corporations, subject to appeals taken to the District Court as from Justices of the Peace.

City property tax, when to be levied.

SEC. 17. The Board of Trustees shall annually, at the time prescribed by law for levying taxes for State and county purposes, levy a tax as hereinbefore prescribed upon all real and personal property situate in the city, and made assessable by

law for State and county purposes; and the tax so levied shall be collected at the same time and in the same manner and by the same officers, exercising the same functions (acting *ex officio* as city officers) as prescribed and provided in the revenue laws of this State for the collection of State and county taxes; and said city tax so levied shall be assessed and collected with the State and county taxes of each year; and the revenue laws of this State shall, in every respect not inconsistent with the provisions of this Act, be deemed applicable, and so held, to the levying, assessing, and collecting of the city taxes; *provided*, Proviso. that in the matter of equalization of assessments upon property, the rights of the city shall be concluded in the manner and to the same extent as is the State and the county by the action of the County or State Board of Equalization. And whenever or wherever practical and expedient, all forms and blanks in the use in the levying, assessing, and collecting of State and county revenue, shall, with such alterations or additions as may be necessary, be used in the levying, assessing, and collecting of the revenue of the city. The Board of Trustees shall enact all such ordinances as shall be found necessary, Ordinances for collections of taxes. and not inconsistent with this Act and the laws of this State, for the prompt, convenient, and economical collection of the city revenues.

SEC. 18. All taxes, fines, forfeitures, or other moneys collected or recovered by any officer or person under or by virtue of the provisions of this Act or of any valid ordinance of the city, shall be paid by the officer or person collecting or receiving the same to the City Treasurer, who shall keep an accurate account thereof and give itemized receipts therefor, in duplicate; one of which shall be given by him immediately to the City Clerk for the more perfect keeping of his accounts and for the information and guidance of the Board of Trustees, and the other shall be given to the officer or person so paying in such moneys. All such moneys shall be placed by the City Treasurer in a fund to be known as the "General Fund," and shall be so kept except as paid out upon proper warrants; *provided*, that the Board of Trustees may, at their sound discretion, set apart any surplus moneys in said fund, to be kept by said Treasurer in a fund which shall be known as the "Redemption Fund;" *provided further*, that the amount of moneys so ordered to be transferred shall in no instance exceed one half of the moneys in the General Fund at the date of such order. City moneys, custody of

SEC. 19. The fees, salaries, or other compensation of the officers hereinbefore provided for, shall be regulated by regularly enacted ordinances; *provided*, that the Trustees shall receive no compensation whatever for their services. All claims for fees, salaries, or expenses necessarily or properly incurred in carrying on the legitimate purposes and duties of the city government, as provided in this Act, shall be presented to the Board of Trustees, who shall consider and allow or reject the same in their order as presented to the Clerk of the Board, and the record of their action shall be entered upon their journal. Upon the allowance in whole or in part of any claim by the majority of the Board of Trustees, the City Clerk shall draw a warrant upon the City Treasurer for the amount so allowed, Fees and salaries.

Warrants
to be drawn
for claims
allowed,
etc.

and shall state in the same, in general terms, the nature of the claim. Upon the presentation of said warrant to the City Treasurer he shall immediately pay the same, if, upon reference to its number and the amount of claims allowed by the Board and having preference thereto in their order, there is money in his hands in the fund upon which the warrant is drawn, to pay the same; but if he has not such money he shall indorse on said warrant "Not paid for want of funds," adding thereto the date of such indorsement and signing his name officially thereto, and thereafter he shall pay such warrant out of the first money applicable thereto, in its order. All warrants drawn upon the General Fund shall be numbered according to the order of the allowance of the claim for which the same is drawn. Before twelve o'clock on the second Monday of each month the City Treasurer shall post a notice in a conspicuous place in his office, showing the number and amount of each outstanding warrant, if any, which there is money in the General Fund to pay in its order and number. On paying any warrant the City Treasurer shall write across the face thereof, in red ink, "Redeemed," with the date of redemption, and sign his name officially thereto, and the warrant so canceled shall be sufficient voucher for the Treasurer as to the amount so paid, in his official settlement with the Board of Trustees, which shall take place annually on the third Monday in December. The President of the Board of Trustees, or some member of the Board appointed by the President, shall, once in every three months, examine the books and vouchers of the City Treasurer concerning the state of the finances in his hands, and report the result to the Board, which shall be spread at large upon the journal of the Board.

Notice.

Examina-
tion of
Treasurer's
accounts,
etc.

Action on
rejected
claim.

SEC. 20. The holder of any claim or demand mentioned as above, which has been rejected in whole or in part, may, within six months after such rejection, commence an action in any Court of competent jurisdiction of the County of Ormsby for the amount of the claim or the portion rejected, as the case may be. The action shall be against the city, and the service of summons shall be made upon the President of the Board of Trustees. In case of a final recovery of judgment by the plaintiff, the Board of Trustees shall allow the amount thereof, which shall be paid in the order of such allowance.

Accounta-
bility of
officers to
be pro-
vided for.

SEC. 21. All officers of the city, as provided in this Act, except the Trustees, shall be accountable and liable upon their official bonds as officers of the County of Ormsby; but it shall nevertheless be the duty of the Board of Trustees to provide for the accountability of all officers and employes constituted by or appointed under the provisions of this Act, by requiring of them sufficient security, or additional security, as may be necessary or proper for the faithful and honest performance of their respective duties. In case any such officer or employé shall neglect or refuse to give the required security or shall neglect or refuse to perform the duties imposed upon him by virtue of the provisions of this Act, the Board of Trustees may declare such office vacant, and proceed to appoint some other person to such office, or appoint some other person as such employé (as the case may be). Any person so appointed to any office in this Act hereinbefore mentioned, shall hold such

Trustees
may
declare
vacancies,
when.

office, upon duly qualifying therefor in form of law, until the first Monday in January next following a general election. The duties of such appointed officer may be defined by such ordinance as is necessary.

Sec. 22. Real and personal property levied upon for taxes due the city, if sold by virtue of any judgment for taxes, shall be sold by the officer holding the execution upon the judgment which includes the city taxes. Sale of property for taxes.

Sec. 23. Persons holding claims against the incorporated Town of Carson City, as the same purports to exist under the general incorporation Act of this State, may, within three months after the first Monday in March, eighteen hundred and seventy-five, present such claim to the Board of Trustees of Carson City, who shall act upon the same, and if allowed in whole or in part, they shall be paid in their order as other claims arising under the provisions of this Act. Claims against corporation under the general law, how paid.

Sec. 24. The City Clerk shall keep the corporate seal, if there be one, also all books, and shall file and keep all papers belonging to the city under their proper heads; attend all meetings of the Board of Trustees, and keep [an] accurate journal of their proceedings, including a record of all ordinances, by-laws, and resolutions passed or adopted by them, which journal shall, after approval at each meeting, be signed by the President of the Board, and attested under the hand of the Clerk. He shall sign all warrants issued, and affix the seal thereto, if there be any. He shall number and countersign all licenses, and likewise affix the seal thereto. All licenses shall be printed, showing on their face the class of license, with marginal stubs attached, and stitched together in books, each book containing an equal number of one class only. All licenses issued shall be signed by the President of the Board of Trustees. The City Clerk shall be the custodian of the blank licenses, and shall deliver them from time to time, in such number as the Board shall direct, to the City Marshal, who shall collect the same, charging him therewith at their face or representative value, and giving him credit at the same rate for so many thereof only as he shall return to the Clerk at the time of settlement of his account. The City Clerk shall also keep an accurate account of all warrants and orders drawn upon the City Treasurer, in such manner that the Board can at any time ascertain the actual outstanding indebtedness, and shall perform such other duties as may be required by the Board of Trustees. Upon the passage of ordinances, or of any resolution appropriating money, abolishing licenses, or increasing or decreasing the rates of licenses, the "yeas and nays" shall be called, and the Clerk shall enter the same, and the vote of each member of the Board, upon the journal. Duties of City Clerk.

Sec. 25. The style of all ordinances shall be, "The Board of Trustees of Carson City do ordain." All ordinances shall be published three days prior to going into effect. Style of ordinance.

Sec. 26. All county officers acting ex officio as officers of the city, may act as city officers through their regularly appointed deputies, when authorized by law to appoint such deputies. Deputies of county officers.

Sec. 27. The City Marshal, in addition to the general duties of his office, shall execute all process issuing from the Recorder's

Duties of
City
Marshal.

Court, act with full powers as a policeman, and as Chief of all the police force appointed for the city as such, and shall collect all taxes upon city licenses. In his absence, the Under Sheriff shall act as City Marshal.

Actions by
the city.

SEC. 28. Civil actions may be brought by the city in any Court of competent jurisdiction, and actions for violation of any ordinances of the city may be brought before the City Recorder, and fines imposed by the Recorder may be recovered by execution against the property of the defendant, or the payment thereof may be enforced by imprisonment in the County Jail of Ormsby County, which shall serve as the City Jail, at the rate not exceeding one day for every two dollars of such fine and costs; or said Recorder may, at his discretion, adjudge and enter up in his docket an order that such offender shall work on the streets or public works at the rate of two dollars for each day, which shall apply on such fine and costs until the same be so exhausted or otherwise satisfied. Appeal may be taken from such judgments as in cases of appeal from Justices' Courts in criminal cases.

Appeals.

Absence to
create
vacancy.

SEC. 29. If any officer shall remove his office from the city, or absent himself therefrom more than thirty days without leave of the Board of Trustees, his office shall by the Board be declared vacant, and the vacancy filled by appointment, as provided in this Act.

Bonds may
be required
of police-
men.

SEC. 30. The City Marshal shall not be answerable upon his official bond for the conduct of policemen appointed under the provisions of this Act, but the Board may require of such appointees such bonds as shall be by them determined upon as proper. The powers and duties of the City Marshal may be more fully defined by such ordinances as shall not be inconsistent with this Act.

Limitation
of power to
create debt
or of
making
contracts.

SEC. 31. No debt shall be created directly or indirectly against the city beyond the amount of current revenues of the city; nor shall any contract for supplies of water or gas, or other supplies for the city, or any other contract whatever made by or on behalf of the city, be of any validity for any period exceeding one year.

CHAP. XLIV.—*An Act to authorize the County Commissioners of Eureka County to issue certain bonds, and to provide for the payment of the same.*

[Approved February 25, 1876.]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

Issuance of
bonds
authorized,
etc.

SECTION 1. The Board of County Commissioners of, Eureka County, Nevada, are hereby authorized and empowered to issue the bonds of said county in any sum not to exceed five thousand dollars. None of the bonds issued, as herein provided, shall be of a less amount than two hundred dollars, and none for a

greater amount than one thousand dollars each; said bonds shall bear interest at a rate not to exceed eighteen per cent. per annum, and shall be redeemed in the following manner: The said bonds, with interest, shall be payable at the office of the County Treasurer of Eureka County on the first Monday in January, A. D. eighteen hundred and seventy-six. The Board of County Commissioners shall provide for the prompt payment, in full, of said bonds, together with the interest thereon, at the date of their maturity; and for this purpose the said Commissioners are hereby duly empowered to set apart, at the proper period, a sufficient sum out of the Current Expense Fund of said county to fully discharge and liquidate the said bonds and the interest thereon.

Redemption of bonds, how made, etc.

SEC. 2. Whenever, in the opinion of the Board of County Commissioners, the issuance of said bonds, or any part thereof, is for the best interest of said Eureka County, the County Treasurer shall sell, at par, such proportion of the same as may be designated by the said Board of County Commissioners; and the proceeds thereof shall be placed in the Current Expense Fund of said county, to be subject to the same restrictions and to be expended in the same manner as other moneys coming into said fund.

Sale of bonds.

SEC. 3. The County Commissioners of the said County of Eureka are hereby authorized and empowered to have the bonds prepared and printed, in form and manner to carry into effect the provisions of this Act.

Style and form of bonds.

CHAP. XLV.—*An Act to provide for the protection of the State Capitol building, and for the improvement of the grounds surrounding it.*

[Approved February 26, 1875.]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. For the purpose of repairing and protecting the State Capitol building, and fencing and improving the grounds surrounding the same, the sum of twenty-five thousand dollars is hereby appropriated out of any moneys in the General Fund not otherwise specifically appropriated.

Appropriation.

SEC. 2. A Board of State Capitol Commissioners, consisting of the Lieutenant Governor, Secretary of State, and State Controller, of which Board the Lieutenant Governor shall be President, and the Secretary of State shall be Secretary, is hereby created, with the powers and duties hereinafter specified.

Board of State Capitol Commissioners created.

SEC. 3. It shall be the duty of said Board, at as early a time as practicable after the final adjournment of the seventh session of the Legislature, to cause the State Capitol building to be

Capitol to be painted.

thoroughly repaired and repainted, at an expense not exceeding the sum of seven thousand dollars.

Fence
around
Capitol
grounds.

SEC. 4. The Board of State Capitol Commissioners are hereby authorized and empowered to build a good and substantial fence around the Capitol grounds, consisting: First, of a stone wall, of dressed and cut stone, at least eighteen inches above the surface of the ground; and, second, of an iron fence on this wall, not less than three feet in height, with iron posts, set not more than eight feet apart, and firmly bedded, with lead, in holes drilled in said foundation wall, with such gates and carriage ways as may, in the judgment of said Commissioners, be deemed necessary for convenience in approaching the Capitol from the several sides and corners of the Capitol square.

Bids for
furnishing
fence,
advertis-
ement for.

SEC. 5. After having selected a suitable pattern, the Board of State Capitol Commissioners shall advertise for bids for furnishing the above fence, simultaneously, in one daily newspaper in this State, and in San Francisco, and Sacramento, for a period of thirty days, at the expiration of which time the Board shall open the bids and may let the contract to the lowest responsible bidder, or, if deemed unreasonable in price may reject all bids, and advertise anew until a reasonable price is attained. The contractor shall give security in double the amount of such contract, by good and sufficient bond, to be approved by the State Board of Examiners, conditioned to the faithful compliance with his contract, each bid to be accompanied with a certified check for one fifth the amount of the bid; said checks to be returned with the bids rejected; and the bidder failing to give bond, as required, after his bid has been accepted, shall forfeit the amount of his check to the State Capitol Fund.

Bonds
required of
contractor,
etc.

Prison
Commis-
sioners to
furnish
stone, etc.

SEC. 6. On the requisition of the Board of State Capitol Commissioners, specifying the size and quality of stone required, either for fence or other purposes, in beautifying said Capitol grounds, the Board of State Prison Commissioners shall furnish such stone at the State Prison, free of cost to this appropriation; and the Board of State Prison Commissioners, on the requisition of said Board of State Capitol Commissioners, shall furnish such a number of short term convicts as can be profitably employed in building said fence or beautifying said grounds, without expense to this appropriation; *provided*, that the cost of the extra guards that may be required in so working said convicts shall be paid out of this appropriation.

Pay of
extra
guards, how
made.

Water for
irrigation,
contract
for, etc.

SEC. 7. The Board of State Capitol Commissioners shall have full power to contract for water for irrigating purposes; *provided*, that they shall only have power to contract for water for said purposes for two years; and may advertise for proposals for the supplying of such water, in a newspaper published in Carson, for at least thirty days, stating in such advertisement about the number of gallons required (the meter to measure the same to be provided by the party furnishing said water), the length of time it will be required to be so furnished, and at the expiration of said period, shall open said proposals, and may accept the lowest responsible bid, or rejecting all bids, let the furnishing of said water by private contract; *provided*, that such private contract shall in no case be at a higher rate than

that offered by the lowest responsible bidder, and not to exceed forty cents per thousand gallons. The Board may require the contractor to give security by good and sufficient bond, conditioned to the faithful compliance with his contract. They shall also have power to lay pipes to conduct said water through the Capitol grounds, to build fountains at suitable points on the grounds, to lay out walks, plant trees, sow grass, and employ suitable skilled labor in fencing and beautifying said grounds.

Limitation
of price of
water.

Power of
Board in
improving
grounds.

SEC. 8. The Board herein named shall make a full report of all their proceedings under this Act to the next Legislature.

Report of
Board.

CHAP. XLVI.—*An Act to repeal an Act entitled "An Act to authorize the County Commissioners of Storey County to issue bonds for school purposes in the Virginia and Gold Hill School Districts, and to provide for the payment of the same," approved March seventh, eighteen hundred and seventy-three.*

[Approved February 26, 1875.]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. The Act entitled "An Act to authorize the County Commissioners of Storey County to issue bonds for school purposes in the Virginia and Gold Hill School Districts, and to provide for the payment of the same," approved March seventh, eighteen hundred and seventy-three, is hereby repealed.

Repeal.

CHAP. XLVII.—*An Act to amend an Act entitled "An Act concerning crimes and punishments," approved November twenty-sixth, one thousand eight hundred and sixty-one.*

[Approved February 26, 1875.]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. Section seventy-five of an Act entitled "An Act concerning crimes and punishments," approved November twenty-sixth, eighteen hundred and sixty-one, is hereby amended so as to read as follows:

Section Seventy-five. If any bailee of any money, goods, or property, shall convert the same to his own use, with intent to steal the same, or to defraud the owner thereof, he shall be deemed guilty of embezzlement, and, on conviction thereof, shall be punished by fine not less than fifty dollars nor more

Embezzle-
ment by
bailee.

Bailee
defined.

than five thousand dollars, or by imprisonment not less than thirty days nor more than fourteen years, or by both such fine and imprisonment, as the Court shall adjudge; and, when the imprisonment so adjudged shall be for any term greater than six months, it shall be in the State Prison. The term "bailee," as used in this Act, shall be construed to include and mean all persons with whom any money, goods, or property has been deposited, and all persons to whom any goods or property has been loaned or hired; and any use of loaned or hired goods, or property, by any bailee thereof, other than that for what the same was borrowed or hired, shall be *prima facie* evidence of conversion, and of intent to steal the same and defraud the owner thereof.

CHAP. XLVIII.—*An Act to create a Current Expense Fund for Eureka County.*

[Approved February 26, 1875.]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

Current
Expense
Fund
created.

SECTION 1. For the purpose of providing means for the payment of certain expenses in the County of Eureka, a special fund is hereby created, to be known as the Current Expense Fund of said county.

Special tax
authorized.

SEC. 2. At the time of levying the tax for general State and county purposes as now provided by law, the Board of County Commissioners of said Eureka County may and they are hereby authorized and empowered to levy a special tax not to exceed twenty cents on each one hundred dollars valuation of all the taxable property in said county, including the tax on the proceeds of the mines, to be known as the Current Expense Fund tax. The proceeds of said special tax, together with twenty per cent. of all other county revenues collected, shall go into and form the Current Expense Fund of said Eureka County.

Allowances
authorized
against
Current
Expense
Fund.

SEC. 3. Allowances shall be made by the Board of County Commissioners against said Current Expense Fund for the following purposes and none other: Repairs on the Court House and Jail, stationery, printing, fuel and lights, board, clothing, bedding and medicines for prisoners confined in the County Jail; and until all claims or warrants that have been or may be allowed against the Indigent Sick or Hospital Fund of said county prior to the approval of this Act shall have been paid and liquidated, the necessary current expenses incident to the care and maintenance of the indigent sick of said county may also be, in the discretion of the Board of County Commissioners, paid out of said Current Expense Fund; *provided*, that no outstanding bills, claims, or warrants, or any part thereof, that may have accrued against said county for any of the articles or purposes mentioned in this section, or for any purpose whatever, prior to the approval of this Act, shall be allowed against or paid out

Proviso.

of said Current Expense Fund; and, *provided further*, that Proviso. neither the fees nor salaries of county or other officers shall be allowed against or paid out of said fund.

SEC. 4. Whenever there shall be any surplus of moneys in the said Current Expense Fund over and above all demands against the same, the Board of County Commissioners of said county may and they hereby are authorized and empowered to transfer such surplus, or any portion thereof, to the several other funds, or either of them, of said county, in the manner and proportion best calculated, in the judgment of said Commissioners, to subserve and protect the credit of Eureka County. In the distribution of moneys as herein provided, preference shall be given in all cases to the fund standing in the greatest need of assistance, with the view of keeping the scrip, certificates, or other evidences of indebtedness against the several funds of said county as nearly equal in point of intrinsic or marketable value as may be practicable. Surplus in fund, how disposed of.

SEC. 5. Nothing in this Act shall be so construed as to obstruct the operation of an Act entitled "An Act to provide funds for the payment of the current expenses of Eureka County," approved March fourth, eighteen hundred and seventy-three. Consideration to govern transfer of surplus.

CHAP. XLIX.—*An Act to authorize the County Commissioners of Washoe County to issue bonds for certain purposes.* Construction of Act.

[Approved February 26, 1875.]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. For the purpose of erecting or buying suitable buildings for a County Hospital, and establishing a Poor-farm for the indigent sick and common paupers of Washoe County, Nevada, the County Commissioners of said Washoe County are hereby authorized and empowered to issue bonds, in the name of the county, to the extent of seven thousand dollars, and to pledge the good faith and credit of said county for the payment of the same, both principal and interest. County Hospital and Poor Farm.

SEC. 2. The Commissioners shall cause the bonds to be prepared. They shall be signed by the Chairman of the Board, and countersigned by the Clerk of the Board; indorsed by the County Treasurer, and authenticated with the seal of the County Clerk; coupons for interest shall be attached to each bond, so that the coupon may be removed without injury to the bond. Said coupons, consecutively numbered, shall be signed by the County Treasurer. Bonds.

SEC. 3. No bonds, issued under the provisions of this Act, shall be sold for any currency except gold and silver coin of the United States, nor at less than par value. Style of bonds and coupons.

SEC. 4. The County Commissioners are hereby duly authorized to negotiate the sale of the said bonds, the proceeds of

Sale of bonds and disposition of proceeds. which shall be placed in the County Treasury, to the credit of the County Hospital Fund, for the purposes mentioned in section one of this Act.

Fund created to pay bonds.

Tax continued.

Size, time, style, etc., of bonds.

Notice of redemption of bonds.

SEC. 5. For the purpose of creating a fund for the payment of the bonds hereby authorized, and the interest thereon, the tax one eighth of one per cent, authorized and levied under the Act of the Legislature entitled "An Act to fund the hospital debt of Washoe County, and provide for the payment of the same," approved February twenty-fourth, eighteen hundred and seventy-three, is hereby continued in force until such bonds and the interest thereon shall have been fully paid.

SEC. 6. The bonds shall be of the denomination of five hundred dollars each; they shall be numbered from one to fourteen; the interest shall not exceed twelve per cent. per annum, payable semi-annually; and in no case shall any of such bonds, issued by virtue of this Act, run a longer term than five years from and after the date of issue.

SEC. 7. The Board of County Commissioners shall give notice, by publication in some newspaper published at the county seat of Washoe County, for a term not exceeding sixty days, setting forth the amount of money on hand for the purpose of redeeming such bonds, and the number and date of bonds subject to redemption, together with the time at which the interest on said bonds will cease.

CHAP. L.—An Act to better define and establish the boundary line between the County of Nye and the Counties of Churchill and Esmeralda.

[Approved February 26, 1875.]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

Boundary line.

SECTION 1. The boundary line between the County of Nye and the Counties of Churchill and Esmeralda shall be as follows: Beginning at the intersection of the meridian of longitude forty degrees and seven minutes west from Washington with the eastern boundary line of California; thence northerly along said meridian of longitude to its intersection with the thirty-eighth parallel of north latitude; thence northwesterly to the Hot Springs, on the Wellington and Reese River Road; thence northerly to the thirty-ninth parallel of north latitude; thence easterly to O'Donnell's Pass, on the Ione and Westgate Road; and from thence the said boundary line shall remain as heretofore established by law.

Meridian of longitude, how ascertained.

SEC. 2. Said meridian of longitude shall be established from the official survey made by Colonel A. W. Von Schmidt, of the State line between the States of California and Nevada, to be ascertained by his astronomical observations, and also from the mile posts set by him on said survey; and if it be found necessary to ascertain by calculations from Colonel A. W. Von

Schmidt the said meridian of longitude, all expenses attaching thereto shall equally be borne by said Counties of Nye and Esmeralda.

SEC. 3. An Act entitled "An Act to define and establish the boundary line between the County of Nye and the Counties of Churchill and Esmeralda," approved March fifth, one thousand eight hundred and sixty-nine, is hereby repealed.

CHAP. LI.—*An Act to amend an Act entitled "An Act concerning crimes and punishments," approved November twenty-sixth, eighteen hundred and sixty-one.*

[Approved February 26, 1875.]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. Section one hundred and thirty-seven of said Act is amended so as to read as follows:

Section One Hundred and Thirty-seven. If any person or persons shall knowingly and designedly, by any false pretense or pretenses obtain from any other person or persons any chose in action, money, goods, wares, chattels, effects, or other valuable thing, with intent to cheat or defraud any person or persons of the same; every person so offending shall be deemed a cheat, and on conviction shall be imprisoned in the State Prison not more than ten years nor less than one year, and be sentenced to restore the property so fraudulently obtained, if it can be done; *provided*, that should the value of any chose in action, money, goods, wares, chattels, effects, or other valuable thing so, as aforesaid, fraudulently obtained, not exceed in value the sum of fifty dollars, every person so offending shall be deemed a cheat, and on conviction shall be imprisoned in the County Jail not more than six months, or be fined in any sum not exceeding five hundred dollars, or by both such fine and imprisonment, and be sentenced to restore the property so fraudulently obtained, if it can be done.

CHAP. LII.—*An Act to detach a portion of the territory of Nye County from said county, and to attach the same to White Pine County.*

[Approved February 26, 1875.]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. The following described territory, now a portion of Nye County, Nevada, is hereby detached from said Nye

Portion of
Nye
County
attached to
White Pine
County.

County, and is hereby attached to and made a part of White Pine County, Nevada, to wit: All that territory embraced within the following boundaries: Commencing at a point now known as the southeast corner of Eureka County; thence running due east along the south line of White Pine County ninety (90) miles more or less to the east line of the State of Nevada; thence running south along the said State line thirty (30) miles more or less to a point due east from the north line of A. Prairie's farm; thence from said point due west fifty two (52) miles more or less to the one hundred and fifteenth (115th) meridian west of Greenwich; and thence northwesterly sixty (60) miles more or less to the place of beginning.

Transfer of
pending
suits.

SEC. 2. All suits now pending in the District Court in and for Nye County, which in any way appertain to property, real, personal, or mixed, situate within the territory hereby detached from said Nye County, and all actions for the recovery of any debt or enforcement of any right between citizens now living within the boundaries of the said territory detached from Nye County, shall, within twenty days from the date of the approval of this Act, be, by the County Clerk of said Nye County, duly and legally transferred and certified to the Clerk of White Pine County, together with all papers and documents pertaining to the same, which shall be by said Clerk of White Pine County filed in his office and entered in the calendar of the District Court in and for said White Pine County at the first term thereof after receipt of the same; *provided*, where both the plaintiff and defendant to any suit, residing within the limits of the said territory hereby detached from Nye County, pending in the District Court in and for Nye County, shall, prior to the expiration of the twenty days above mentioned, file with the County Clerk of Nye County a statement consenting or requesting that the suit to which they are parties may be determined in said District Court in Nye County, then, and not otherwise, said suit or suits shall not be transferred, as herein provided; and any suit or suits transferred, as herein provided, from the said District Court in and for Nye County to the District Court in and for White Pine County, shall be heard, tried, and determined in all respects as though originally commencing in said last mentioned Court.

When suits
may not be
transferred

Trial of
suits trans-
ferred.

Transcript
of records.

SEC. 3. The County Recorder of Nye County is hereby authorized and empowered, and it shall be his duty, to transcribe into suitable books, all the records in his custody pertaining or relating to or affecting the title to any property situated within the limits of the territory hereby detached from said Nye County, and to make a suitable index thereto. Said transcript and index shall be made as soon as practicable after the passage and approval of this Act (and within ninety (90) days after the passage and approval of the same), and, when completed, shall deliver the same to the County Recorder of White Pine County, and they shall thereafter be kept in his office, and shall be, for every purpose, of the same force and effect as other county records. The Recorder of Nye County shall be entitled to receive, as compensation for the services hereby imposed, one half of the fees now allowed by law for recording and indexing written instruments in his office. His

Compensa-
tion of Nye
County
Recorder.

claims for said compensation shall be allowed upon presentation, by the County Commissioners of White Pine County, on the completion and delivery of said transcript and index, and be paid as other claims against the county.

SEC. 4. The taxes levied upon the property situated within the limits of the territory hereby detached from Nye County, for the year A. D. eighteen hundred and seventy-four, shall be collected by Nye County and paid into the Treasury of said county the same as though this Act had not been passed. Taxes on property in transferred territory.

SEC. 5. White Pine County shall pay to Nye County such proportion of the whole present debt of Nye County as the taxable property in the territory above described bears to the whole taxable property of Nye County on the assessment roll of Nye County for the year A. D. eighteen hundred and seventy-four; said payment to be made, in gold coin, within one year from the approval of this Act, out of a special fund to be created by the Board of County Commissioners of White Pine County for the payment of said debt. Payment to Nye County by White Pine County.

SEC. 6. This Act to take effect and be in force from and after its approval. Act to take effect.

CHAP. LIII.—*An Act supplementary to an Act entitled "An Act to provide revenue for the support of the government of the State of Nevada," approved March ninth, eighteen hundred and sixty-five, and the Acts amendatory thereof, and to define the manner of assessing railroads proper in this State.*

[Approved February 27, 1875.]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. In all cases where a railroad is located and is being or has been constructed in or through one or more counties of this State, the President, Secretary, general Superintendent or managing agent of the corporation, company, or person owning the same, or some managing agent thereof, within the county, shall within a reasonable time after demand by the City Assessor of any county in or through which such road is being or has been constructed, furnish to such Assessor a statement under oath or affirmation, which shall be in writing, duly subscribed and sworn to before some officer authorized by the laws of this State to administer oaths, setting forth the length of said road in such county and the value thereof, with a list of the property, real and personal, (except rolling stock), pertaining thereto, also the whole length of said road within the State, and the number and value of all locomotives and cars commonly known as rolling stock used on said road within this State, and an apportionment of the value of such rolling stock to such county, the same to be estimated according to the proportion President, etc., to furnish statement to Assessor. Statement, what to contain.

Rolling
stock used
on part of
road only.

which the true portion in said county bears to the whole length of said railroad within the State. But in the event that any portion of the rolling stock, or personal property, of a railroad company, operated wholly within this State, shall not be used or employed in all the counties through or into which such railroad runs, then such portion of said rolling stock, or personal property, shall only be assessed in the county or counties where used or employed, and shall not be considered in any apportionment of the value of the rolling stock or personal property of such railroad in counties where not used or employed. The statement, however, shall not be conclusive, nor shall the value therein fixed bind the Assessor; but he shall, notwithstanding, proceed to value and assess said property according to his official judgment.

Statement
not
conclusive.

Railroad
defined.

SEC. 2. The word "railroad" shall be held to include, in addition to the track of said railroad, including the rails, couplings, spikes, ties, bridges, culverts, tunnels, cuts, fills, embankments, and the land owned by the right of way of such railroads, all the structures, fixtures, improvements, and buildings of said railroad owned thereon or used in connection therewith. The personal property belonging to said railroad, or used in connection therewith, and in operating the same, including the rolling stock, furniture, tools, implements, wood, and coal, shall be valued and assessed separately from the track of said road, and shall be listed and entered on the assessment roll under the head of personal property; all buildings and superstructures belonging to or used in connection with said railroad, except such as form a part of the track of said road, including depots, storehouses, woodsheds, machine shops, and roundhouses, shall be assessed separately from the track, and listed as real estate.

Personal
property,
etc., how
assessed.

Failure to
furnish
statement,
duty of
Assessor.

SEC. 3. If any corporation, company, or person owning such railroad fail, neglect, or refuse, after being notified to furnish a statement for assessment and taxation as provided in this Act, the County Assessor may proceed to make the assessment in the same manner as in other cases, as provided in the Act to which this Act is supplementary, and any person upon whom a demand is made for a statement as in this Act provided, failing, neglecting, or refusing to furnish the statement as required, without legal excuse, shall be subject to the same punishment as in other cases of such failure, neglect, or refusal, as provided in the Act aforesaid.

Basis of
valuation.

SEC. 4. In ascertaining, assessing, and fixing the value of any railroad for taxation, the Assessor shall assess it the same as other property, and shall consider, treat, and assess the portion thereof at its value within his county as an integral part of a complete, continuous, and operated line of railroad, and not as so much land covered by the right of way merely, nor as so many miles of track consisting of iron rails, ties, and couplings.

Repeal.

SEC. 5. An Act supplementary to an Act entitled "An Act to provide revenue for the support of the government of the State of Nevada, approved March ninth, one thousand eight hundred and sixty-five, and the Acts amendatory thereof," approved March sixth, one thousand eight hundred and sixty-nine, and an Act to amend an Act entitled "An Act supple-

mentary to an Act entitled 'An Act to provide revenue for the support of the government of the State of Nevada, approved March ninth, one thousand eight hundred and sixty-five, and the Acts amendatory thereof,' approved March sixth, one thousand eight hundred and sixty-nine," approved February twenty-first, one thousand eight hundred and seventy-three, are hereby repealed.

CHAP. LIV.—*An Act to amend an Act entitled "An Act to provide revenue for the support of the government of the State of Nevada," approved March ninth, one thousand eight hundred and sixty-five.*

[Approved March 1, 1875.]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. Section seven of the Act entitled "An Act to provide revenue for the support of the government of the State of Nevada," approved March ninth, one thousand eight hundred and sixty five, is hereby amended so as to read as follows:

Section Seven. The Assessor and his sureties shall be and they are hereby made liable for the taxes on all taxable property within the county which is not assessed through the Assessor's willful or inexcusable neglect; and proof of the non-assessment of any taxable property within the county shall be *prima facie* evidence of such neglect. It shall be the duty of the County Auditor and County Treasurer to inform the District Attorney of the county of the nature and value of all property not assessed, together with the owner or owners thereof, whenever they or either of them shall know or have good reason to believe any property within the county has not been assessed according to law. It shall be the duty of the District Attorney of the several counties of this State, on the first Monday of January of each year, to report in writing to the Board of County Commissioners of his county a list of all taxable property, real and personal, in the county unassessed, at which time and place the Assessor of such county may appear and, by testimony under oath or other sworn proof, explain to the Board the reason of such non-assessment. If, after hearing such proofs, the said Board shall be satisfied that such non-assessment was excusable in the Assessor, it shall cause an order to that effect to be entered upon the minutes; and if the said Board shall be satisfied that any non-assessment was not excusable, then said Board shall cause an order to that effect to be entered on its minutes, when it shall be the duty of the District Attorney of such county to demand of the Assessor thereof all the State and county taxes due and payable upon such property for the preceding year, and if the same shall not be paid by such Assessor within ten days from such demand, then said District Attorney shall forthwith commence an action in a Court of competent jurisdiction against such Assessor and his sure-

Assessor
liable for
taxes on
property
not
assessed.

Duty of
Auditor
and
Treasurer.

Duty of
District
Attorney.

When
Assessor
not liable.

ties, for the collection in one suit of all sums payable by said Assessor as aforesaid; *provided, however*, if it can be proven that any non-assessment was caused by the refusal of the owner, agent, or claimant of such property, or of the person or persons having it in possession or under his control or charge, to give a list of it to the Assessor, the Assessor shall not be liable; but the person or persons whose refusal to give the Assessor such list, and whose duty it was under the law to give such list, caused the omission, shall pay double the amount of the taxes that would have been imposed upon the property had it been assessed.

CHAP. LV.—*An Act to amend an Act entitled "An Act to provide revenue for the support of the government of the State of Nevada," approved March ninth, eighteen hundred and sixty-five.*

[Approved March 1, 1875.]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. Section five of said Act is hereby amended so as to read as follows:

Real estate
defined.

Section Five. The term "real estate," when used in this Act, shall be deemed and taken to mean and include, and it is hereby declared to mean and include all houses, buildings, fences, ditches, structures, erections, railroads, toll roads, and bridges, or other improvements, built or erected upon any land, whether such land be private property, or property of the State, or of the United States, or of any municipal or other corporation, or of any county, city, or town in the State, the ownership of, or claim to, or possession of, or right of possession to any lands within the State, and the claim by or the possession of any person, firm, or corporation, association, or company to any land; and the same shall be listed under the head of "real estate." The term "personal property," whenever used in this Act, shall be deemed and taken to mean, and it is hereby declared to mean and include all household and kitchen furniture, all law, medical, and miscellaneous libraries, all goods, wares, and merchandise, all chattles of every kind and description, all money on hand, or on deposit in bank or banks, or with individuals, all moneys at interest, secured by mortgage or otherwise, gold dust, gold and silver bars, bullion, solvent debts, other than those mentioned in this section, when the amount exceeds the same character of indebtedness of the party assessed, stock of goods on hand, horses, mules, oxen, calves, beef cattle, hogs, sheep, goats, jacks, and jennies, and cattle of every description, wagons, carriages, buggies, omnibuses, stages, stage coaches, sulkies, carts, drays, and all other vehicles, whether for use, pleasure, or hire; also, all locomotives, cars, rolling stock, and other personal property used in operating any railroad within the State; all machines and machinery, all

Personal
property
defined.

works and improvements, all steamers, vessels, and watercraft of every kind and name navigating or used upon the waters of any river or lake within this State, or having a general depot or terminus within this State; all capital loaned, invested, or employed in trade, commerce, or business whatsoever; the capital stock of all corporations (except the capital stock of corporations organized for mining purposes), companies, associations, ferries, or individuals doing business or having an office within this State; the money, property, and effects of every kind, except real estate, of all banks, banking institutions, or firms, bankers, money lenders, and brokers, and all property of whatever kind or nature not included in the term "real estate," as said term is defined in this Act; *provided*, that gold and silver-bearing ores, quartz, or minerals from which gold or silver is extracted, when in the hands of the producers thereof, shall not mean, nor be taken to mean, nor be listed and assessed under the term "personal property," as used in this section of this Act, but is [are] specially excepted therefrom, and shall be listed, assessed, and taxed, as provided by law. Proviso.

CHAP. LVI.—*An Act to provide Fire Wardens in unincorporated cities and villages.*

[Approved March 1, 1875.]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. It shall be the duty of the Sheriff of any county in the State of Nevada to appoint one or more policemen for any city, town, or village which is unincorporated, when requested to do so, as provided by an Act entitled "An Act to provide policemen in unincorporated cities, towns, and villages," approved March eleventh, eighteen hundred and sixty-five. The policemen so appointed shall be ex officio Fire Wardens of the unincorporated cities, towns, or villages for which they are acting as policemen. Policemen in unincorporated towns to be appointed by Sheriff.

SEC. 2. It shall be the duty of the said Fire Wardens to go, in the daytime, and examine all houses, buildings, or superstructures within the city, town, or village where they are acting as said Fire Wardens and policemen, and ascertain, from personal examination, the condition of all the chimneys, stovepipes, stoves, flues, ranges, grates, furnaces, or other articles, or anything used in said house, building, or superstructure, in which to hold fire or to conduct the smoke from any fire; and when any of said articles or the fixtures thereto are found to be so defective, in make or material, or so situated as to endanger any of the property of said city, town, or village, or the property of any of the inhabitants thereof, to loss from fire by or on account of any of said defects, then the said Fire Wardens shall, in writing, notify the owner or occupant of said house, Duty of Fire Wardens to make examinations, etc.

Notice to
owner, etc.

building, or superstructure where such defective chimney, flue, or stovepipe, or other article, is situated, to repair the same, so as to prevent danger from fire to the property in said city, town, or village; and said Fire Wardens shall also direct the manner in which said repairs shall be made; said Fire Wardens shall also, under the direction of the Chief Engineer of the Fire Department, where there is one, and where there is no Chief Engineer of a Fire Department in a city, town, or village, then under the direction of the Sheriff, shall examine streets, alleys, outlots, and the surrounding of houses and buildings in such city, town, or village, where he is acting as such Fire Warden, and direct the removal, by the owner of the premises, of any inflammable matter or material found thereon; and generally to perform such duties as directed by the Sheriff of the county, or the Chief of the Fire Department in the city, town, or village, to fully protect the property of such city, town, or village from loss by conflagration.

Examination
of
streets,
alleys, etc.

Failure to
repair, etc.,
made mis-
demeanor.

SEC. 3. Any person who shall, after being notified by the Fire Wardens to repair any defective chimney, flue, furnace, range, oven, stovepipe, or fixture therewith connected, so as to prevent the same from endangering the property of said city, town, or village from destruction or loss by fire, who shall neglect or refuse for a longer time than twenty-four hours after notice in writing to repair the same to comply with the order and direction of said Fire Wardens, and shall fail or refuse to make the required repairs, shall be guilty of a misdemeanor, and upon conviction thereof shall be fined in any sum not less than twenty-five dollars and not to exceed five hundred dollars, together with the costs of prosecution in the case.

Penalty.

Failure to
remove in-
flammable
material,
etc., made
misde-
meanor.

SEC. 4. When the said Fire Warden shall order the removal of any dangerous or inflammable material from the premises of any person, a failure to comply or remove the same upon the part of the owner, occupant, or agent of the premises where said dangerous or inflammable material is situated, for the period of forty-eight hours after notice in writing from said Fire Warden to remove the same from the limits of the city, town, or village, so as to prevent danger therefrom, shall be guilty of a misdemeanor, and upon conviction thereof shall be fined in any sum not less than ten dollars nor more than one hundred dollars, together with the costs of prosecution, and shall also be directed to remove said dangerous or inflammable article or articles, or that the same shall be removed by the said Fire Warden at the expense of said defendant, in case the defendant neglects to remove the same for one day after being notified by the Justice of the Peace or other officer so to do.

Penalty.

Removal,
etc., by
Warden.

Fee of
Warden,
upon
conviction.

SEC. 5. The Fire Warden shall be allowed a fee of five dollars in each conviction, in addition to other costs, to be collected from defendant.

CHAP. LVII.—*An Act to encourage the mining, milling, smelting, or other reduction of ores in the State of Nevada.*

[Approved March 1, 1875.]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. The production and reduction of ores are of vital necessity to the people of this State; are pursuits in which all are interested, and from which all derive a benefit; so the mining, milling, smelting, or other reduction of ores are hereby declared to be for the public use, and the right of eminent domain may be exercised therefor. Right of eminent domain.

SEC. 2. Any person, company, or corporation engaged in mining, milling, smelting, or other reduction of ores, may acquire any real estate, or any right, title, interest, estate, or claim therein or thereto necessary for the purposes of any such business, by means of the special proceedings prescribed in this Act. The said special proceedings shall be substantially as follows: There shall be filed in the Clerk's office of the District Court in the county where the real estate is situated, a petition verified according to law, stating therein the name of the person, company, or corporation presenting the petition, that they are engaged in the business of mining, milling, smelting, or other reduction of ores as aforesaid, the description by the metes and bounds, or by some accurate designation of the tract or tracts of land desired to be appropriated for the purposes of such business, and that a necessity exists therefor, setting forth the names of those in possession of said lands, and of those claiming any right, title, or interest therein, so far as the same can be ascertained by reasonable diligence. Lands for such purposes, how acquired.

Verified petition.

SEC. 3. The persons in occupation of said tract or tracts of land, and those having any right, title, or interest therein, whether named in the petition or not, shall be defendants thereto, and may appear and show cause against the same, and may appear and be heard before the Commissioners herein provided for, and in proceedings subsequent thereto, in the same manner as if they had appeared and answered said petition. Defendants upon petition, who considered.

SEC. 4. The said Court, or the Judge thereof, either in term or vacation, shall, by order, appoint the time for the hearing said petition, and such hearing may be had, and all orders in said proceedings may be made by the said Court or the Judge thereof, either in term time or vacation. Hearing upon petition.

SEC. 5. The petitioner shall cause all the occupants and owners of said tract or tracts of land, so far as the same can be ascertained by reasonable diligence, who reside in said county, to be personally notified of the pendency of the said petition at least ten days before the hearing thereof; and if any of said occupants or owners are unknown, or do not reside in said county, and have not been personally notified of the pendency of the said petition, such petitioner shall cause a notice, stating the filing of said petition, the object thereof, the tracts of land sought to be appropriated, and the time and the place of Notice of pendency of petition.

the hearing of said petition, to be published for four successive weeks, previous to the time of hearing said petition, in a newspaper published in said county, or if none is published in said county, then in a newspaper published nearest to said county.

Hearing
upon
petition.

SEC. 6. The defendants to said petition may appear and show cause against said petition on or before the time for the hearing thereof, or such other time as the hearing may be continued to; and upon satisfactory proof being made that the defendants have been duly notified of the pendency of said petition, as herein prescribed; and upon the hearing of the allegations and proofs of the said parties, if the said Court or Judge shall be satisfied that the said lands, or any part thereof, are necessary or proper for any of the purposes mentioned in said petition, then such Court or Judge shall appoint three competent and disinterested persons as Commissioners, one of whom shall be selected from among the persons, if any, named for that purpose by said petitioner, and one shall be selected from among the persons, if any, named on the part of any of the defendants, to ascertain and assess the compensation to be paid to any person or persons having or holding any right, title, or interest in or to each of said tracts of land, for and in consideration of the appropriation of such land to the use of said petitioner. If any vacancy occur among said Commissioners, by reason of any one or more of them refusing or neglecting to act, or by any other means, one or more Commissioners may be appointed by said Court or Judge to fill such vacancy, upon notice being given of such vacancy as said Court or Judge may direct.

Commis-
sioners,
how
selected,
duties, etc.

Meetings of
Commis-
sioners, etc.

SEC. 7. The said Court or Judge shall appoint the time and place for the first meeting of said Commissioners, and the time for filing their report, and may give such further time as may be necessary for that purpose, if they shall not then have completed their duties. The said Commissioners, or a majority of them, shall meet, at the time and place, as ordered, and before entering on their duties shall be duly sworn to honestly, faithfully, and impartially perform the duties imposed upon them; and any one of them may issue subpoenas for witnesses for either of said parties, and may administer oaths; and said Commissioners may adjourn from place to place, and from time to time, as may be necessary for the proper discharge of their duties.

Powers and
duties of
Commis-
sioners.

SEC. 8. The said Commissioners shall proceed to view the several tracts of land, as ordered by said Court or Judge, and shall hear the allegations and proof of said parties, and shall ascertain and assess the compensation for the land sought to be appropriated to be paid by said petitioner to the person or persons having or holding any right, title, or interest in or to each of the several tracts of land; and such Commissioners shall, on or before the time or times as ordered by said Court or Judge, file in said Clerk's office their report, signed by them, or a majority of them, setting forth their proceedings in the premises; and they may include all of said tracts in one report, or they may make several reports, including one or more of said tracts of land, if the Court or Judge shall so order, or if they shall deem it proper. In case there are adverse or conflicting claims to the compensation assessed for any tract of land, or any right, title, or interest therein thus sought to be appropriated, the parties

thus asserting such claim shall present the same by petition to the Court or Judge after the report of the Commissioners shall have been filed, and the said Court or Judge shall proceed to hear and determine the same; and in such cases said petitioner may pay the amount of such compensation to the Clerk of said Court, to abide the order of the Court or Judge in said proceedings, and said petitioner shall not be liable for any of the costs caused by the adjudication of such conflicting claims.

Claims to the compensation assessed, how asserted.

SEC. 9. The said petitioner, or any of said defendants, if dissatisfied with the report, may, within twenty days after the time of filing said report, and after ten days' notice to the parties interested, move to set aside the report, and to have a new trial as to any tract of land, on good cause shown therefor, and the said Court or Judge shall set aside the report as to such tract of land, and may recommit the matter to the same or to other Commissioners, who shall be ordered to proceed in like manner as those first appointed; but such matter shall not be more than twice recommitted to Commissioners.

Objections to report, how made and heard.

SEC. 10. Upon the expiration of twenty days after the filing of said report or reports, or at such further time as may be appointed therefor, if the motion and notice shall not have been made and given as aforesaid, and if the proceedings of said Commissioners appear to have been correctly and properly done, the said Court or Judge shall confirm each of said reports and certify the same thereon.

Report, when to be confirmed.

SEC. 11. Each of said reports and the certificates thereon, upon the compensation therein named being paid, shall be recorded in the Recorder's office of said county by said petitioner. The said Court or Judge may make all such orders as may be necessary or proper in the special proceedings provided for in this Act, and shall cause the pleadings and proceedings to be amended, whenever justice shall require it to be done, and shall direct the manner of the service of all orders and notices not herein specially provided for. Costs in such special proceedings shall be taxed by the Clerk at the rates prescribed in the fee bill for said county in civil actions, and also the compensation of the Commissioners which shall be fixed by the Court or Judge, and shall be paid by said petitioner, except in case where a defendant shall move for a new trial, and the compensation assessed by the Commissioners shall not be increased more than ten per cent. upon the previous assessment, in which case such defendant shall pay the costs.

Reports to be recorded

Orders, etc., by Judge.

Costs, etc.

SEC. 12. If the title attempted to be acquired by virtue of the provisions of this Act shall be found to be defective from any cause, such petitioner may again institute proceedings to acquire the same, as in this Act prescribed, and at any stage of such new proceedings, or of any proceedings under this Act, the Court or Judge in chambers may rule, or by order in their behalf made, authorize such petitioner, if already in possession, to continue in the use and possession, and if not in possession, to take possession of and use such premises during the pendency of, and until the final conclusion of such proceedings, and may stay all actions and proceedings against such petitioner

Defective title, new proceedings thereon.

Petitioner entitled to possession.

on account thereof, provided such petitioner shall pay a sufficient sum into Court, or give security, to be approved by such Court or Judge, to pay the compensation in that behalf when ascertained.

Petitioner
acquires
the land,
etc., when.

SEC. 13. Upon the filing of the report of the Commissioners for record as above provided for, and upon the payment or tender of the compensation and costs as prescribed in this Act, the real estate, or the right, title, or interest therein described in such report, shall become the property of said petitioner for the purpose of the business of mining, milling, smelting, or other reduction of ores as aforesaid, so long as the same shall be continued, and shall be deemed to be acquired for and appropriated to public use.

Payment to
be made,
when.

SEC. 14. Such petitioner shall, within thirty days after the final confirmation of the report aforesaid, pay or tender the sum of money ascertained and assessed by said Commissioners as and for the compensation of each tract of land described in said report of which the compensation was ordered by said Court or Judge to be ascertained and assessed as aforesaid; and said payment or tender may be made to the person or persons owning said tract of land, or having or holding any right, title, or interest therein, according to the amount or extent of the right, title, or interest owned or held therein by such person or persons; or said payment may be made to the said Clerk for said persons, and the same shall be deemed and taken as a payment to such person or persons, and shall be as effectual for all purposes as if the said sum of money had been personally paid to each and all of the persons entitled thereto.

Realty of
incompetent
person,
how
acquired.

SEC. 15. If it shall become necessary for any of the purposes aforesaid for such petitioner to acquire any real estate, or any right, title, or interest therein, which is the property of any infant, idiot, or insane person, the guardian, executor, or administrator, as the case may be, shall be subject to process, judgment, and decree as herein provided for persons of full age or capable of contracting, or without such process, judgment, or decree, they may sell and convey the property desired to said petitioner; but neither such sale or conveyance shall be valid for any purpose until the same shall have been approved by the Judge of the proper Court, and said Judge is hereby authorized to examine such deeds and conveyances, and if he shall deem the same just and proper, he shall approve the same, and thereupon such conveyances shall have the same force and effect for the purposes in this section mentioned as if the same had been executed by persons competent to convey lands in their own names.

Voluntary
sale.

Payment to
person
entitled.

SEC. 16. The said Court or Judge shall, at the time of the payment of any sum of money to the said Clerk under the provisions of this Act, or at such other time or times as may be ordered, direct and order the same to be paid over to the person or persons who shall upon satisfactory proof appear to be entitled thereto.

Term
"person"
defined.

SEC. 17. In all the proceedings in relation to the sale or appropriation of real estate, and ascertaining and receiving the compensation therefor, for the purposes as prescribed in this Act, the term "person" shall be deemed to include municipal or

other corporations, and the word "petitioner" to designate any person or number of persons, company, or corporation who may in any case petition as provided in this Act.

SEC. 18. The minutes of the proceedings had before such Judge shall be entered by said Clerk, in the same manner and with the same force and effect, as if the proceedings were had before said Court in term time. Minutes of proceedings.

CHAP. LVIII.—*An Act making appropriations for deficiencies in the seventh, eighth, ninth, and tenth fiscal years.*

[Approved March 1, 1875.]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. The following sums of money are hereby appropriated out of any moneys in the General Fund of this State, not otherwise appropriated by law, or which may come into said General Fund, for the payment of miscellaneous deficiency claims against the State: To Drs. Langdon and Clark, seven hundred and thirty-six dollars and sixty-four cents (\$736 64); to E. D. Sweeney, six hundred dollars (\$600); to Wells, Fargo & Co., three hundred dollars (\$300); to Marshall Robinson (assignment of C. A. V. Putnam), seventeen hundred and sixty-seven dollars and thirty-eight cents (\$1,767 38); to L. A. Buckner, two hundred dollars (\$200); to John Rosser, three hundred and fourteen dollars and forty-four cents (\$314 44); to N. D. Chamberlain, six hundred and twelve dollars and four cents (\$612 04); to G. Perasich, fifty-eight dollars and ninety-one cents (\$58 91); to A. D. Treadway, eighty-nine dollars and seventy-three cents (\$89 73); to J. Rosenstock fifty-five dollars and fifty cents (\$55 50); to O. P. Willis, twenty-two dollars and fifty cents (\$22 50); to E. B. Rail, thirty-three dollars and twenty-five cents (\$33 25); to Carson Post Office, twenty-seven dollars and thirty-four cents (\$27 34); to R. F. Brooks, twenty dollars and seventy-five cents (\$20 75); to J. M. Benton, fifteen dollars (\$15); to Robinson & Mighels, thirteen dollars and fifty cents (\$13 50); to Williams and Son, eight hundred and sixteen dollars and sixty-five cents (\$816 65); to S. M. Griffith, sixty dollars (\$60); to S. H. Hodgkinson, one hundred and twenty-five dollars (\$125); to Dr. Davidson, fifty dollars (\$50); to Victor Lafleur, one hundred and fifty dollars (\$150); to J. M. Massey, sixty dollars (\$60); to J. Pierce, six dollars and seventy-eight cents (\$6 78); to John G. Fox, sixteen dollars and fifty cents (\$16 50); to Kersey & Bowden, eleven dollars and twelve cents (\$11 12); to A. Shumaker, seven hundred and ninety-one dollars and eighty-eight cents (\$791 88); to P. C. Hyman, sixty-two dollars and ninety-five cents (\$62 95); to F. D. Clayton, forty-five dollars (\$45). Deficiency appropriations.
Claimants.

SEC. 2. The Controller of State is hereby directed to draw

Controller
to draw
warrants,
etc.

his warrants in favor of the persons named, with the several amounts specified in section one of this Act, and the State Treasurer is hereby directed to pay the same.

CHAP. LIX.—*An Act to repeal an Act entitled "An Act to amend an Act entitled 'An Act to redistrict the State of Nevada,' approved February twenty-seventh, eighteen hundred and sixty-nine," approved March seventh, eighteen hundred and seventy-three.*

[Approved March 2, 1875.]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

Repeal.

SECTION 1. Chapter Ninety of the laws enacted at the sixth session of the Legislature of the State of Nevada, entitled "An Act to amend an Act entitled 'An Act to redistrict the State of Nevada,' approved February twenty-seventh, eighteen hundred and sixty-nine," approved March seventh, eighteen hundred and seventy-three, is hereby repealed.

Act
construed.

SEC. 2. Nothing in this Act shall in any manner affect the provisions of an Act entitled "An Act to redistrict the State of Nevada," approved March seventh, eighteen hundred and seventy-three; but all the provisions of said Act are hereby declared to be in full force and effect, except in so far as they have been modified, superseded, or repealed since the first day of January, eighteen hundred and seventy-five.

CHAP. LX.—*An Act amendatory of and supplementary to "An Act to provide for the government of the State Prison of the State of Nevada," approved March seventh, eighteen hundred and seventy-three.*

[Approved March 2, 1875.]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. Section thirteen of the Act of which this is amendatory [of] and supplementary to, is hereby amended so as to read as follows:

Moneys
received for
prison
labor, etc.,
to be paid
into Prison
Fund.

Section Thirteen. All sums that are now or may hereafter become due to the State for any manufactured article sold, or for labor performed either within or without the prison walls or inclosures, shall be certified to under oath by the Warden to the Board of Prison Commissioners, who shall receive and receipt for the same; and all moneys thus received shall be paid into the State Treasury, and the Treasurer shall place the same

to the credit of the State Prison Fund; and the Secretary of said Board shall make a report thereof to the Controller on or before the tenth of each month.

SEC. 2. On or before the tenth of each month, the Warden shall prepare a statement in duplicate, setting forth in detail the number, value, and description of all articles manufactured for sale at the prison, and the number and value of all articles sold during the preceding month. The original he shall file with the Secretary of the Board of Prison Commissioners, and the duplicate with the State Controller.

Monthly
statement
by
Warden, in
duplicate.

SEC. 3. The Warden shall also prepare a quarterly statement, which shall be in duplicate, and filed with the Secretary of the Board and the State Controller, setting forth in detail the amount, description, and value of all articles sold during the preceding quarter, the amount of money collected from such sales, the amount outstanding, what for and by whom owed, the amount, description, and value of manufactured and unmanufactured stock on hand, and the amount, description, and value of all tools and machinery on hand connected with the manufacture of articles at the prison.

Quarterly
statement
of
Warden, in
duplicate.

SEC. 4. All Acts and parts of Acts, in reference to the government of the State Prison of Nevada, so far as they conflict with the provisions of this Act, are hereby repealed.

Conflicting
Acts
repealed.

CHAP. LXI.—*An Act to amend an Act entitled "An Act to regulate proceedings in criminal cases in the Courts of justice in the Territory of Nevada," approved November twenty-sixth, eighteen hundred and sixty-one.*

[Approved March 2, 1875.]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. Section one hundred and eighty-six of said Act is hereby amended so as to read as follows:

Section One Hundred and Eighty-six. No person can take advantage of any objection to the panel or to an individual Grand Juror, in any other mode than by challenge, as prescribed in the preceding section.

Challenge
panel or
individual
Grand
Juror.

SEC. 2. Section three hundred and thirty-nine of said Act is hereby amended so as to read as follows:

Section Three Hundred and Thirty-nine. The particular cause of challenge is such bias as is *presented* [presumed] to exist, and which in judgment of law disqualifies the juror when the existence of [a] certain state of facts is ascertained. It is known as implied bias.

Implied
bias.

SEC. 3. Section three hundred and forty of said Act is hereby amended so as to read as follows:

Section Three Hundred and Forty. A challenge for implied bias may be taken for all or any of the following causes, and

Causes for
challenge
for implied
bias.

for no other: First, consanguinity or affinity within the fourth degree to the person alleged to be injured by the offense charged, or on whose complaint the prosecution was instituted, or to the defendant; second, standing in the relation of guardian and ward, attorney and client, master and servant, or landlord and tenant, or being a member of the family of the defendant, or of the person alleged to be injured by the offense charged, or on whose complaint the prosecution was instituted, or in his employment on wages; third, being a party adverse to the defendant, in a civil action, or having complained against or been accused by him in a criminal prosecution; fourth, having served on the Grand Jury which found the indictment, or on a Coroner's Jury which inquired into the death of a person whose death is the subject of the indictment; fifth, having served on a trial jury which has tried another person for the offense charged in the indictment; sixth, having been one of a jury formerly sworn to try the same indictment, and whose verdict was set aside, or which was discharged without a verdict after the case was submitted to it; seventh, having served as a juror in a civil action brought against the defendant for the act charged as an offense; eighth, if the offense charged be punishable with death, the entertaining of such conscientious opinions as would preclude his finding the defendant guilty, in which case he shall neither be permitted nor compelled to serve as a juror.

SEC. 4. Section three hundred and forty-two of said Act is hereby amended so as to read as follows:

Challenge,
how made.

Section Three Hundred and Forty-two. In a challenge for implied bias, one or more of the causes stated in section three hundred and forty must be alleged. The challenge may be oral, but must be entered in the minutes of the Court.

SEC. 5. Section three hundred and forty-four of said Act is hereby amended so as to read as follows:

Trial for
challenge.

Section Three Hundred and Forty-four. If the facts be denied the challenge shall be tried by the Court.

SEC. 6. Section three hundred and fifty-three of said Act is hereby amended so as to read as follows:

Order of
challenges.

Section Three Hundred and Fifty-three. The challenges of either party need not all be taken at once, but they must be taken separately in the following order, including in each challenge all the causes of challenge belonging to the same class: First, to the panel; second, to an individual juror for a general disqualification; third, to an individual juror for implied bias.

SEC. 7. Section three hundred and fifty-four of said Act is hereby amended so as to read as follows:

Formation
of jury in
capital
cases, etc.

Section Three Hundred and Fifty-four. If the offense charged be punishable with death or imprisonment in the State Prison for life, the examination of jurors shall be continued till thirty-six competent jurors are obtained who are free from any of the objections specified in sections three hundred and thirty-eight and three hundred and forty. These thirty-six jurors may then be examined as to their actual state of feeling towards the defendant, and as to all matters from which a bias against the State or the defendant may be inferred. When such examination is concluded, the State and the defendant shall challenge

Actual
bias.

peremptorily one juror alternately till each has taken twelve peremptory challenges, and the remaining twelve jurors shall be sworn to try the case. If the defendant shall refuse to take his peremptory challenge in his turn, the Court shall take it for him. The same proceedings shall be had on trials for lesser grades of felony, except that twenty-four jurors in place of thirty-six shall be obtained, and the parties shall be allowed six peremptory challenges each in place of twelve. If, in the process of forming a jury as herein provided, any juror on the panel fails to appear or answer to his name, the Court may, in its discretion, proceed without him, or the proceedings may be suspended till he can be brought into Court.

Peremptory challenges.

Absent juror.

SEC. 8. Section four hundred and thirty of said Act is hereby amended so as to read as follows:

Section Four Hundred and Thirty. A motion in arrest of judgment is an application on the part of the defendant that no judgment be rendered on a plea or verdict of guilty, or a verdict against the defendant on a plea of former conviction or acquittal. It may be founded on any of the defects of the indictment mentioned in section two hundred and ninety-four.

Arrest of judgment, grounds of.

SEC. 9. Section four hundred and seventy-three of said Act is hereby amended so as to read as follows:

Section Four Hundred and Seventy-three. An appeal must be taken within twenty days after the judgment is rendered.

Appeal, when to be taken.

SEC. 10. Sections two hundred and seventy-six, three hundred and thirty, three hundred and thirty-four, three hundred and thirty-five, three hundred and thirty-six, three hundred and forty-five, three hundred and forty-six, three hundred and fifty, and three hundred and fifty-one, are hereby repealed.

Repeal.

CHAP. LXII.—*An Act to amend an Act entitled "An Act concerning the Courts of justice of this State, and judicial officers," approved January twenty-sixth, eighteen hundred and sixty-five.*

[Approved March 2, 1875.]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. Section nineteen of said Act is amended so as to read as follows:

Section Nineteen. The terms of holding these Courts shall be as provided by law in such districts, and such terms shall continue so long as the business may require, or until the day fixed for the commencement of another term in the same district. The Court may adjourn from time to time during the term, and may, when the public convenience requires, adjourn the term over the time fixed by law for the commencement of another term in the same district. Judgments and orders of the District Court may be entered either in term or vacation, in civil cases.

Terms of District Courts, etc.

CHAP. LXIII.—*An Act to authorize the Commissioners of Humboldt County to issue bonds to the amount of fifty-two thousand dollars, for the purpose of redeeming bonds heretofore issued, and to provide for the payment of such bonds.*

[Approved March 2, 1875.]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

Bonds,
issuance of
authorized.

SECTION 1. The County Commissioners of Humboldt County are hereby authorized and directed to prepare and issue the bonds of said county to the amount of fifty-two thousand dollars, in the form hereinafter specified.

Style and
amount of
bonds;
interest.

SEC. 2. The said bonds shall be of the amount of five hundred dollars each, and shall be printed with interest coupons attached thereto; shall express on the face of both bonds and coupons that they are payable in United States gold coin; shall bear interest at the rate of ten per cent. per annum, payable semi-annually at the office of the County Treasurer of said county, on the first day of January and the first day of July in each year. The bonds shall be payable to bearer, at the office of the County Treasurer of said county, in twenty years from their date. The bonds shall be prepared in proper form, under the directions of the Board, and shall be signed by the President of the Board, and countersigned by its Clerk, who shall attach thereto the county seal. The coupons for the semi-annual interest shall be signed by the President and the Clerk of the Board.

Form of
bonds.

Sale of
bonds.

SEC. 3. Except as hereinafter provided, the Board of County Commissioners shall cause said bonds to be negotiated and sold for gold coin as soon as practicable, and to that end are hereby authorized to take such steps as in their judgment the necessities of the case may require; *provided*, none of the bonds provided for in this Act shall be sold for less than ninety-eight per cent. of their par value, and all moneys realized from the sale of said bonds shall be placed in the County Treasury, and shall be disposed of as in the next section provided.

Redemption
of
bonds heretofore
issued.

SEC. 4. When at any time there shall be the sum of one thousand dollars or more in the County Treasury under the provisions of the preceding section, the Treasurer of the county shall give notice of his readiness to redeem a specific number of the bonds of said county heretofore issued in November, A. D. eighteen hundred and seventy-three, and January and February, A. D. eighteen hundred and seventy-four, by publication of such notice in a newspaper published nearest the county seat of said county for four successive weeks. Such notice shall explicitly state the number of said bonds to be redeemed, and shall designate them by their numbers. Said bonds shall be redeemed in the order of their issuance, commencing with those first issued. At the expiration of the four weeks aforesaid all interest on said bonds shall cease.

Exchange
of bonds.

SEC. 5. At the option of any holder or holders of any or all of the bonds heretofore issued by the Commissioners of said county, mentioned in the preceding section, the Commissioners

of said county are authorized and directed to cause the bonds provided to be issued in this Act, or any of such bonds, to be delivered to such holder or holders, upon the surrender to said Board by such holder or holders of the bonds heretofore issued, or any of them, in exchange and full redemption thereof. The Board of Commissioners may, before entering any order for the negotiation and sale of the bonds mentioned in section one of this Act, require its Clerk to address a written notice, under the seal of the county, to the holder or holders of the bonds heretofore issued, if the same be known to said Board, which notice shall state to said holder or holders of the bonds aforesaid the readiness of the Board to redeem and take up such bonds, as provided in this section. Notice to holders of prior bonds

SEC. 6. The said Board of County Commissioners are hereby authorized and required to levy and ~~cause~~ to be collected annually hereafter, and until all of the bonds issued under the provisions of this Act and the interest thereon shall have been fully paid or provided for, a tax of thirty cents on each one hundred dollars of the taxable property of the county of Humboldt, to be applied exclusively to the payment of the principal and interest of said bonds. Levy of tax authorized.

SEC. 7. All moneys collected under the provisions of the preceding section shall be placed in a separate fund, to be known as the Court House Interest and Sinking Fund, and shall be applied: First, to the payment of the semi-annual interest as above directed, and, second, to the redemption of said bonds as provided in the next section. Court House Interest and Sinking Fund.

SEC. 8. Whenever all interest due on said bonds shall have been fully paid, and there shall be in said fund a surplus, which upon a fair estimate of the receipts which will probably come into the same, will not be needed for the payment of the future interest to accrue within the next succeeding twelve months, the Board of Commissioners, after having ascertained the amount of said surplus, shall insert an advertisement in at least one newspaper published in said county, for the period of not less than two weeks, stating the amount of money on hand to be applied in the purchase of said bonds, and inviting sealed proposals to surrender the same to be made and filed with the Clerk of said Board on or before a day certain therein named. At the next meeting of the Board after said day, the Board shall open such sealed proposals as shall have been filed on or before the day fixed in the advertisement, and to the extent of the amount named shall purchase the bonds so offered, giving the preference in all cases to the bidder who shall offer to surrender said bonds at the lowest price; *provided*, that no offer shall be accepted for more than the par value of the said bonds; *and, provided further*, that in case no proposals are filed as herein provided, the Board shall transfer the surplus moneys remaining in said fund, except so much thereof as may be required for the payment of interest as aforesaid, into the other county funds, apportioning such moneys into the different funds in the same way that taxes levied and collected for county purposes are apportioned. Purchase of bonds authorized.
Opening of proposals.
Transfer of surplus.

CHAP. LXIV.—*An Act to secure liens to mechanics and others, and to repeal all other Acts in relation thereto.*

[Approved March 2, 1875.]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

Liens, who entitled.

SECTION 1. Every person performing labor upon or furnishing material of the value of twenty-five dollars, to be used in the construction, alteration, or repairs of any building or other superstructure, railroad, tramway, toll road, canal, water ditch, flume, aqueduct or reservoir, building, bridge, fence, or any other structure, or who performs labor in any mining claim, has a lien upon the same for the work or labor done, or materials furnished, by each respectively, whether done or furnished at the instance of the owners of the building or other improvement, or his agent; and every contractor, sub-contractor, architect, builder, or other persons having charge of any mining claim, or of the construction, alteration, or repairs, either in whole or in part, of any building or other improvement as aforesaid, shall be held to be the agent of the owner for the purpose of this Chapter.

Agents of owners, who deemed.

Liens to laborers on city lots.

SEC. 2. Any person who, at the request of the owner of any lot in any incorporated city or town, grades, fills in, or otherwise improves the same, or the street in front of or adjoining the same, has a lien upon such lot for his work done and materials furnished.

Lands occupied by buildings, etc., subject to lien.

SEC. 3. The land occupied by any building or other superstructure, railroad, tramway, toll road, canal, water ditch, flume, aqueduct or reservoir, bridge, or fence, together with a convenient space about the same, or so much as may be required for the convenient use and occupation thereof, to be determined by the Court on rendering judgment, is also subject to the lien, if at the commencement of the work, or of the furnishing of the materials for the same, the land belonged to the person who caused said building, improvement, or structure to be constructed, altered, or repaired; but if such person owned less than a fee simple estate in such land, then only his interest therein is subject to such lien.

Preference of lien.

SEC. 4. The liens provided for in this Chapter are preferred to any lien, mortgage, or other incumbrance which may have attached subsequent to the time when the building, improvement, or structure was commenced, work done, or materials were commenced to be furnished; also, to any lien, mortgage, or other incumbrance, of which the lien-holder had no notice, and which was unrecorded at the time the building, improvement, or structure was commenced, work done, or the materials were commenced to be furnished.

Statement to be filed.

SEC. 5. Every original contractor, within sixty days after the completion of his contract, and every person, save the original contractor, claiming the benefit of this Chapter, must, within thirty days after the completion of any building, improvement, or structure, or after the completion of the altera-

tion or repair thereof, or performance of any labor in a mining claim, file for record with the County Recorder of the county in which the property, or some part thereof, is situated, a claim containing a statement of his demand, after deducting all just credits and offsets, with the name of the owner or reputed owner, if known, and also the name of the person by whom he was employed or to whom he furnished the material, with a statement of the terms, time given, and conditions of his contract, and also a description of the property to be charged with the lien, sufficient for identification, which claim must be verified by the oath of himself or of some other person.

Verification of statement.

SEC. 6. In every case in which one claim is filed against two or more buildings, mining claims, or other improvements owned by the same person, the person filing such claim must at the same time designate the amount due to him on each of such buildings, mining claims, or other improvements, otherwise the lien of such claim is postponed to other liens. The lien of such claimant does not extend beyond the amount designated, as against other creditors having liens by judgment or otherwise, upon either of such building or other improvements, or upon the land upon which the same are constructed.

Liens upon separate buildings, etc.

SEC. 7. The Recorder must record the claim in a book kept by him for that purpose, which record must be indexed as deeds and other conveyances are required by law to be indexed, and for which he may receive the same fees as are allowed by law for recording deeds and other instruments.

Record of claim of lien.

SEC. 8. No lien provided for in this Chapter binds any building, mining claim, improvement, or structure for a longer period than six months after the same has been filed, unless proceedings be commenced in a proper Court within that time to enforce the same; or, if a credit be given, then ninety days after the expiration of such credit; *provided, nevertheless*, that if there are other claims outstanding against the property, no time or credit shall be given upon the lien after the expiration of the six months in which proceedings are required to be commenced which will tend to delay or postpone the collection of other claims or incumbrances against the property; but no lien continues in force for a longer time than two years from the time the work is completed by any agreement to give credit.

Limitation of lien.

SEC. 9. Every building or other improvement mentioned in section one of this Act, constructed upon any lands with the knowledge of the owner or the person having or claiming any interest therein, shall be held to have been constructed at the instance of such owner or person having or claiming any interest therein, and the interest owned or claimed shall be subject to any lien filed in accordance with the provisions of this Chapter, unless such owner or person having or claiming an interest therein shall, within three days after he shall have obtained knowledge of the construction, alteration, or repair, or the intended construction, alteration, or repair, give notice that he will not be responsible for the same, by posting a notice in writing to that effect in some conspicuous place upon said land, or upon the building or other improvement situate thereon.

Construction of building, etc., with knowledge of owner of land, warrants lien on land, when.

SEC. 10. The contractor shall be entitled to recover, upon a

Recovery
upon lien.

lien filed by him, only such amount as may be due to him according to the terms of his contract, after deducting all claims of other parties, for work done and material furnished, as aforesaid; and in all cases where a lien shall be filed under this Chapter, for work done or materials furnished to any contractor, he shall defend any action brought thereupon at his own expense; and during the pendency of such action the owner may withhold from the contractor the amount of money for which such lien is filed; and in case of judgment against the owner or his property upon the lien, the said owner shall be entitled to deduct, from any amount due or to become due by him to the contractor, the amount of such judgment and costs; and if the amount of such judgment and costs shall exceed the amount due by him to the contractor, or if the owner shall have settled with the contractor, he shall be entitled to recover back from the contractor any amount so paid by him, the said owner, in excess of the contract price, and for which the contractor was originally the party liable.

Rank or
order of
liens.

SEC. 11. In every case in which different liens are asserted against any property, the Court, in the judgment, must declare the rank of each lien or class of liens, which shall be in the following order, viz: First—All persons other than the original contractors and sub-contractors. Second—The sub-contractors. Third—The original contractors. And the proceeds of the sale of the property must be applied to each lien or class of liens in the order of its rank.

Consolidation
of
liens, etc.

SEC. 12. Any number of persons claiming liens may join in the same action; and when separate actions are commenced the Court may consolidate them. The Court may also allow, as part of the costs, the moneys paid for filing and recording the lien.

Materials,
etc.,
exempted
from
attach-
ment, etc.

SEC. 13. Whenever materials shall have been furnished for use in the construction, alteration, or repair of any building, or other improvement, such materials shall not be subject to attachment, execution, or other legal process, to enforce any debt due by the purchaser of such materials, except a debt due for the purchase money thereof, so long as in good faith the same are about to be applied to the construction, alteration, or repair of such building, mining claim, or other improvement.

Personal
action.

SEC. 14. Nothing contained in this Chapter shall be construed to impair or affect the right of any person to whom any debt may be due for work done or materials furnished, to maintain a personal action to recover such debt against the person liable therefor.

Action on
lien.

SEC. 15. Said liens may be enforced by an action in any Court of competent jurisdiction, on setting out in the complaint the particulars of the demand, with a description of the premises to be charged with the lien; and at the time of filing the complaint and issuing the summons the plaintiff shall cause a notice to be published at least once a week, for three successive weeks, in one newspaper published in the county, and if there is no newspaper published in the county, then in such mode as the Court may determine, notifying all persons holding or claiming liens under the provisions of this Act on said premises, to be and appear before said Court, on a day specified therein, and

during a regular term of such Court, and to exhibit then and there the proof of their said liens. On the day appointed, the Court shall enter judgment according to the right of the parties, and shall, by decree, proceed to hear and determine the said claims in a summary way, or may refer the same to a referee to ascertain and report upon said liens and the amount justly due thereon; and all liens not so exhibited shall be deemed to be waived in favor of those which are so exhibited. On ascertaining the whole amount of said liens with which the said premises are justly chargeable, as hereinbefore provided, the Court shall cause said premises to be sold in satisfaction of said liens and costs, including costs of suit; and any party in whose favor such judgment may be rendered may cause the premises to be sold within the time and in the manner provided for sales on execution, issued out of any District Court, for the sale of real estate; and if the proceeds of sale, after the payment of costs, shall not be sufficient to satisfy the whole amount of such liens included in the decree of sale, then such proceeds shall be apportioned according to the right of the several parties. In case the proceeds of such sale amount to more than the sum of said liens and the cost of sale, then the remainder shall be paid over to the owner of said property; and each party whose claim is not satisfied in the manner hereinbefore provided for, shall have personal judgment for the residue against the party legally liable for the same; *provided*, such person has been personally summoned or has appeared in the action.

Trial of
liens.Sale of
premises.

SEC. 16. The claimant of any such lien filed as aforesaid, on the payment of the amount thereof, together with the costs incurred and the acknowledgment of satisfaction, shall, at the request of any person interested in the property charged therewith, enter or cause to be entered an acknowledgment of satisfaction of the same [of] record within ten days from the request, and for failure of the claimant to enter satisfaction within the time, shall forfeit and pay to the person making the request the sum of twenty dollars per day until the same shall be entered, to be recovered in the same manner as other debts.

Satisfac-
tion and
discharge
of lien, etc.

SEC. 17. Two or more creditors of the same class may assign their claims, duly verified, to any other creditor or person of the same class, and the assignee may commence and prosecute the action upon them all in his own name. All liens under this Act shall be assignable as any other chose in action.

Lien claims
made
assignable.

SEC. 18. All persons who shall perform work or labor upon any tract or tracts of lands, by cutting and cording the wood or timber growing or being thereon, pursuant to a contract therefor with the person or persons owning such tract or tracts of land, or in possession of the same under a *bona fide* claim or title thereto, shall have and may each respectively claim and hold a lien upon the wood or timber so cut and corded for the amount in value of the work or labor so performed, by retaining possession of the same until the whole amount due for such work or labor shall have been paid; *provided*, that any lien claimed and held as aforesaid shall be deemed to be waived unless an action be brought in some Court of competent jurisdiction for the recovery of the amount for which such lien is claimed as security within thirty days after such wood or timber shall

Liens for
cutting
wood and
timber.Action to
be brought,
etc.

Judgment,
how satis-
fied.

have been taken in possession by the claimant; and the fact that such lien is claimed, shall be set out in the complaint, together with a description of, and the number of cords of wood or timber retained in possession by the claimant. If the judgment be for the plaintiff in such action, the execution shall direct the same, with costs, to be satisfied out of the wood or timber so retained, if the same shall be sufficient; if not, then the balance to be satisfied out of any other property of the defendant in the same manner provided by law. Justices of the Peace shall have jurisdiction of all actions under the provisions of this Act, when the amount claimed does not exceed three hundred dollars.

Foundry-
men,
boiler-
makers,
etc., liens
of.

SEC. 19. All foundrymen and boilermakers, and all persons performing labor, or furnishing machinery, or boilers, or castings, or other materials for the construction, or repairing, or carrying on of any mill, manufactory, or hoisting works, shall have a lien on such mill, manufactory, or hoisting works, for such work or labor done on such machinery, or boiler, or castings, or other material furnished by each respectively; and all the provisions of this Act respecting the mode of filing, recording, securing, and enforcing the liens of contractors, sub-contractors, journeymen, laborers, and others, and the word "superstructure," wherever it occurs in this Act, shall be applicable to the provisions of this section of this Act.

Repeal.

SEC. 20. An Act of the Legislature entitled "An Act to secure liens to mechanics and others, and to repeal all other Acts in relation thereto," approved March fourth, eighteen hundred and seventy-one, and all other Acts and parts of Acts, inconsistent with the provisions of this Act, are hereby repealed.

CHAP. LXV.—*An Act providing for the monthly payment of the salaries of the Justices of the Supreme Court and State officers.*

[Approved March 4, 1875.]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

Salaries of
Justices of
Supreme
Court and
State
officers,
how paid.

SECTION 1. From and after the passage of this Act, the annual salaries of the Justices of the Supreme Court and State officers shall be paid in twelve equal installments; and on the first Monday of each month the State Controller shall draw his warrants for the payment of said salaries for the preceding month.

Repeal.

SEC. 2. All Acts and parts of Acts, relating to the payment of the salaries of the Justices of the Supreme Court and State officers, so far as they conflict with the provisions of this Act, are hereby repealed.

CHAP. LXVI.—*An Act for the payment of the claim of Ormsby County.*

[Approved March 4, 1875.]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. The sum of two thousand forty-one and sixty-six one hundredths dollars is hereby appropriated out of any moneys in the General Fund, not otherwise specifically appropriated, for the purpose of paying the claim of Ormsby County for a judgment obtained by said county against the State of Nevada, in the District Court, Second Judicial District, in and for the County of Ormsby, State of Nevada, on the twenty-fifth day of January, A. D. eighteen hundred and seventy, and for the balance due to the said county from the State of Nevada, for rent of said county buildings in the years eighteen hundred and seventy and eighteen hundred and seventy-one; and the Controller of State is hereby authorized and required to draw his warrant upon the Treasurer in favor of said Ormsby County for said amount, and the Treasurer is hereby required to pay the same. Appropriation.
Controller to draw warrant.

SEC. 2. This Act shall be in force and take effect on and after its passage. Act to take effect.

CHAP. LXVII.—*An Act defining misdemeanors in certain cases and prescribing penalties therefor.*

[Approved March 4, 1875.]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. Any person who shall willfully deface, break down, or destroy any fence upon or surrounding the State Capitol grounds of this State, or who shall erect any bulletin board, or other advertising device, or deposit any garbage, cord-wood, empty boxes, or other debris or obstruction, within twenty feet of said fence, or who shall injure, break down, or destroy any tree, shrub, or other thing upon said grounds, belonging to the State, shall be deemed guilty of a misdemeanor, and, upon due conviction thereof, shall be punished by a fine in any sum not exceeding five hundred dollars, or by imprisonment in the County Jail for a term not exceeding six months, or by both such fine and imprisonment, in the discretion of the Court; *provided*, that the provisions of this Act shall not apply to the Commissioners authorized by law to improve the grounds surrounding the Capitol building. Defacement or obstruction of capitol premises made misdemeanor.
Exemption from provisions of Act.

CHAP. LXVIII.—An Act to amend "An Act to restrict gaming," passed March fourth, eighteen hundred and sixty-nine, and all Acts amendatory thereof.

[Approved March 4, 1875.]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. Section one of said Act is hereby amended so as to read as follows:

Gaming
without
license
made mis-
demeanor.

Section One. Each and every person who shall deal, play, carry on, open, or cause to be opened, or who shall conduct, either as owner or employé, whether for hire or not, except under a license, as hereinafter provided, any game of faro, monte, roulette, lansquenette, rouge et noir, rondo, keno, fantan, twenty-one, red white and blue, red and black, or diana, or any banking game played with cards, dice, or any other device, whether the same be played for money, checks, credit, or any other valuable thing, or representative of value, shall be guilty of a misdemeanor, and, on conviction thereof, shall be punished by a fine of not less than one thousand nor more than three thousand dollars, or by imprisonment in the County Jail not less than three months nor more than one year, or by both such fine and imprisonment.

SEC. 2. Section four of said Act is hereby amended so as to read as follows:

Amount to
be paid for
license.

Section Four. The amount to be paid the Sheriffs, as a quarterly license, shall be four hundred dollars; and such license shall be paid for, actually and not constructively, quarterly, in advance.

SEC. 3. Section seven of said Act is hereby amended so as to read as follows:

Licensed
gaming,
where may
be carried
on, etc.

Section Seven. None of the above mentioned games shall be carried on, nor shall any license issue to carry on the same, in any front room of the first or ground floor of any building, and if any persons carrying on any of said games shall knowingly permit to enter or remain in any licensed room any person under the age of twenty-one years, he shall be deemed guilty of a misdemeanor, and shall be punished by the same penalties as are prescribed in section one of this Act for violation of its provisions.

No sign or
advertising
device
allowed.

SEC. 4. No sign, notice, or device of any description shall be exhibited anywhere outside of a room in which a game is licensed to be played, or published in a newspaper, or printed or written card, handbill, or poster, whereby the character of the business carried on in a room licensed for gambling shall be indicated. Any person violating any of the provisions of this section shall be deemed guilty of a misdemeanor, and shall, on conviction thereof, be punished by a fine of not less than two hundred dollars nor more than five hundred dollars, or by imprisonment in the County Jail not less than one hundred days nor more than six months, or by both such fine and imprisonment; and it is hereby made the duty of any Sheriff,

Punish-
ment.

Marshal, Constable, or police officer to complain of any violation within his knowledge of any of the provisions of this section, and a failure to do so shall be deemed a misdemeanor, and upon conviction thereof said officers shall be subject to a fine of not more than one hundred dollars nor less than fifty dollars, or by imprisonment in the County Jail not less than twenty days nor more than fifty days, or by both such fine and imprisonment.

Duty of Sheriff, etc.

SEC. 5. All Acts or parts of Acts, in so far as they conflict with this Act, are hereby repealed. Repeal.

CHAP. LXIX.—*An Act to provide for the payment of the floating indebtedness of Lincoln County, Nevada.*

[Approved March 4, 1875.]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. From and after the passage of this Act it shall be unlawful for the Treasurer of Lincoln County to pay any certificate of indebtedness drawn on the Treasurer of said county prior to the first day of April, A. D. eighteen hundred and seventy-five, except in the manner hereinafter provided. Lincoln County indebtedness, unlawful to pay certain.

SEC. 2. The Board of County Commissioners of Lincoln County are hereby authorized and directed, from and after the said first day of April, to create in the County Treasury of said county a fund, to be known as the Redemption Fund of said county. Immediately after the said first day of April, they shall cause to be levied a special tax of thirty-five cents on the hundred dollars valuation of all property, real and personal and mixed, of said county, for the fiscal year of A. D. eighteen hundred and seventy-five, and for each and every year thereafter, until the said outstanding floating indebtedness of said county is liquidated, to be placed in said Redemption Fund as soon as paid into said Treasury, and the County Treasurer of said county is hereby expressly prohibited from paying out any portion of said revenue, except as hereinafter provided. Redemption Fund authorized.

SEC. 3. Whenever, at any time, there shall be in said Redemption Fund the sum of one thousand dollars or more, it shall be the duty of the County Treasurer of said county to give fifteen days notice, by publication in some newspaper published at the county seat of said county, that sealed proposals directed to him will be received for the surrender of certificates of indebtedness issued prior to the said first day of April; and that said proposals will be received by him until the first Saturday following the expiration of said fifteen days notice. Redemption of indebtedness, etc.

SEC. 4. On the first Saturday following the expiration of said fifteen days notice, the Board of County Commissioners shall, Opening of bids.

together with the County Treasurer and the Auditor, attend at the office of the latter, and then and there open all the sealed proposals, and accept the lowest bid for the surrender of certificates of indebtedness specified in the previous section; *provided*, that no bid for more than par value shall be accepted by them, nor any bid unless accompanied by the certificates of indebtedness proposed to be surrendered.

Acceptance
of bids, pro-
ceedings
upon, etc.

SEC. 5. When any bids are accepted the County Auditor and County Treasurer shall each take a description of the certificates of indebtedness to be redeemed, specifying the amount to be paid for each certificate, the date, number, and the amount thereof, and make a record thereof, in their respective offices, and thereupon the Board of County Commissioners shall, by order, direct the County Treasurer to purchase the certificates designated in the accepted bid or bids, and pay for the same out of the Redemption Fund aforesaid; and all certificates so redeemed shall be canceled, by the County Treasurer, by writing across the face thereof, in red ink, the words "Purchased and redeemed," adding thereunto the time when and the amount paid therefor, and signing the same officially. The order of the Board of County Commissioners aforesaid, together with the record made by the County Auditor, as herein required, shall be sufficient vouchers for the County Treasurer in the settlement of his accounts. The bids specified in this Act being equal preference shall be given to the smallest amount. That shall be deemed the lowest bid that shall offer the largest amount of certificates of indebtedness, in par value, for the least sum of money. The County Treasurer shall return all unaccepted bids, together with the certificates of indebtedness therein contained, to the owners, on demand. The County Treasurer shall keep a separate account, under the heading of Redemption Fund, of all certificates received in the said fund, and all moneys paid out of said fund, and to whom paid. He shall, also, on the Register of county certificates of indebtedness kept by him, write opposite each certificate redeemed under the provisions of this Act the word "Purchased," and shall state the amount of money paid therefor.

Redemp-
tion Fund
account.

Outstand-
ing indebt-
edness of
county
classified,
etc.

SEC. 6. All said outstanding certificates of said county are hereby divided into two classes; all certificates issued prior to April first, A. D. eighteen hundred and seventy-four, shall be deemed the first class, and all issued subsequent to that date shall be deemed the second class. In the consideration of bid or bids made in pursuance of the provisions of this Act, the County Commissioners shall give a preference of fifteen per cent. to certificates of the first class, over and above the second class.

Lawful in-
debtedness
only to be
redeemed.

SEC. 7. No county certificates shall be purchased or redeemed under the provisions of this Act, unless the same shall have been issued according to law, and it is hereby made the duty of the Commissioners to pass upon the legality of the same. A unanimous decision of the Board shall be required as to such legality before the same shall be purchased or redeemed.

Construc-
tion of Act.

SEC. 8. The provisions of this Act shall be construed to embrace all indebtedness incurred by said county prior to the first day of April, A. D. eighteen hundred and seventy-five, except

the bonded debt provided for by an Act to consolidate and fund the indebtedness of Lincoln County, approved February the seventeenth, A. D. eighteen hundred and seventy-three.

SEC. 9. This Act shall take effect on and after the first day of April, A. D. eighteen hundred and seventy-five. Act to take effect.

CHAP. LXX.—*An Act to amend section six of an Act of the Legislature of the State of Nevada entitled "An Act amendatory of an Act entitled 'An Act to provide for the maintenance and supervision of public schools, approved March twentieth, eighteen hundred and sixty-five,' and the Acts amendatory thereof," approved March sixth, eighteen hundred and sixty nine.*

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. Section six of an Act of the Legislature of the State of Nevada entitled "An Act amendatory of an Act entitled 'An Act to provide for the maintenance and supervision of public schools, approved March twentieth, eighteen hundred and sixty-five,' and the Acts amendatory thereof," approved March sixth, eighteen hundred and sixty-nine, is hereby amended so as to read as follows:

Section Twenty-three. If the qualified electors of any school district shall fail to elect School Trustees at the time and in the manner prescribed by law, or if for any cause a vacancy or vacancies shall at any time occur or shall have occurred in the Board of Trustees of any school district, the Board of County Commissioners of the county wherein such school district is situate, shall fill the same by the appointment of a competent person or persons, who shall hold such office or offices until the election of a successor or successors at the time and in the manner provided by law. Vacancies in Board of Trustees, how filled, etc.

SEC. 2. This Act shall be in force from and after its passage. Act to take effect.

C. C. STEVENSON,
President pro tem. of the Senate.

C. N. NOTEWARE,
Secretary of the Senate.

H. H. BECK,
Speaker pro tem. of the Assembly.

A. WHITFORD,
Clerk of the Assembly.

The following is a true extract from Senate Journal of February twentieth, A. D. eighteen hundred and seventy-five:

Mr. PRESIDENT: Your Committee on Enrollment report that Senate Bill Extract No. 98—"An Act to amend section six (6) of an Act of the Legislature of the State of Nevada entitled 'an Act amendatory of an Act entitled an Act to provide for the maintenance and supervision of public schools, approved March twentieth, eighteen hundred and sixty-five,' and the Acts amendatory thereof," approved March sixth, eighteen hundred and sixty-nine—has been carefully from Senate Journal.

compared with the engrossed bill, found correctly enrolled, and has this day been handed to the Governor for his approval.

A. J. LOCKWOOD.

C. C. STEVENSON,

President pro tem. of the Senate.

C. N. NOTEWARE,
Secretary of the Senate.

Extract
from
Senate
Journal.

Mr. PRESIDENT: Your Standing Committee on Enrollment report that, in accordance with instructions, we presented Senate Bill No. 98, correctly enrolled and signed, to His Excellency, the acting Governor of the State of Nevada, at ten o'clock P. M. We further report that His Excellency positively refused to receive the same; also, that the Janitor of the Capitol building refused to admit us into the Governor's office, saying that he had received instructions from the acting Governor to allow no one to enter his office, and to receive no papers from any one for him.

S. W. CHUBBUCK,
W. R. KING,
R. S. CLAPP.

Dated February 26, 1875.

C. C. STEVENSON,

President pro tem. of the Senate.

C. N. NOTEWARE,
Secretary of the Senate.

Received of S. W. Chubbuck and filed March fifth, eighteen hundred and seventy-five.

J. D. MINOR,
Secretary of State.

CHAP. LXXI.—*An Act to provide for the preservation and sale of certain Nevada Reports.*

[Approved March 5, 1875.]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

Nevada Reports for use of Legislature
SECTION 1. The Secretary of State shall keep on hand, for the exclusive use of the Legislature, when in session, fifty copies of each volume of the Nevada Reports heretofore published.

Receipt to be given.
SEC. 2. No copy of any such volumes shall be taken from said Secretary's office until the person desiring the use of the same shall have deposited with said Secretary his written receipt therefor.

Return of copies, when to be made, etc.
SEC. 3. All copies of said Reports so taken from said Secretary's office shall be returned thereto on or before the last day of any regular or special session of the Legislature; and any person so failing to return said Reports shall be liable for the value thereof, in any sum not less than ten dollars nor exceeding twenty-five dollars per volume, together with the costs of suit, to be recovered by suit, in the name of the State of Nevada, in any Court of competent jurisdiction.

Sale of Nevada Reports, etc.
SEC. 4. Said Secretary of State is hereby authorized to sell all volumes of said Reports heretofore published, in excess of said fifty copies, at a price not exceeding seven dollars and a half nor less than five dollars per volume; and proceeds of such sales shall be paid to the Treasurer of State, and become a part

of the Library Fund; *provided*, that not more than two copies of each volume of Reports shall be sold to any one person or firm.

CHAP. LXXII.—*An Act for the relief of C. A. V. Putnam.*

[Approved March 5, 1875.]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. The sum of ninety-one dollars and fifty cents Appropriation (\$91 50) is hereby appropriated out of any moneys in the General Fund not otherwise appropriated, or which may hereafter come into said General Fund, to pay the claim of C. A. V. Putnam for the State printing; and the Controller of State is hereby directed to draw his warrant for the above named sum in favor of the said Putnam, and the State Treasurer is hereby directed to pay the same.

CHAP. LXXIII.—*An Act to reimburse John Carling.*

[Approved March 5, 1875.]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. The Controller of the State of Nevada is hereby authorized and directed to draw his warrant upon the State Treasurer in favor of John Carling, of Lyon County, State of Nevada, for the sum of fifty (50) dollars in legal tender notes of the United States, payable out of the State Prison Fund, and the Treasurer is hereby directed to pay said warrant out of said fund as above stated. Controller to draw warrant.

SEC. 2. Said John Carling having paid into the Treasury of the State of Nevada said sum of money for lands which the said State could not acquire or give a title to the same. Nature of claim.

CHAP. LXXIV.—*An Act for the relief of the heirs of William F. Wilson.*

[Approved March 5, 1875.]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

Appropriation.

SECTION 1. The sum of nine hundred and twelve dollars is hereby appropriated out of any moneys in the State Treasury not otherwise appropriated, to pay the claim of the heirs of William F. Wilson, for expenses incurred and losses sustained on account of the taking and killing by escaped State Prison convicts of the pony driver carrying the United States mails from Aurora to Carson City, in the State of Nevada, on or about the nineteenth day of September, in the year eighteen hundred and seventy-one.

Controller to draw warrant, etc.

SEC. 2. The State Controller is hereby authorized and required to draw his warrant upon the State Treasurer for the sum of nine hundred and twelve dollars in favor of Nancy H. Wilson, and the State Treasurer is required to pay the same.

CHAP. LXXV.—*An Act for the reapportionment of Senators and Assemblymen in the several counties of this State.*

[Approved March 5, 1875.]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

Apportionment of members of Legislature.

SECTION 1. The apportionment of Senators and Assemblymen in the several counties of this State shall be as follows: Storey County, four Senators and fourteen Assemblymen; Douglas County, one Senator and two Assemblymen; Eureka County, two Senators and four Assemblymen; Lander County, one Senator and three Assemblymen; Nye County, one Senator and two Assemblymen; Esmeralda County, one Senator and two Assemblymen; White Pine County, two Senators and four Assemblymen; Lincoln County, two Senators and three Assemblymen; Churchill County, one Senator and one Assemblyman; Lyon County, two Senators and three Assemblymen; Ormsby County, two Senators and three Assemblymen; Elko County, two Senators and three Assemblymen; Washoe County, two Senators and three Assemblymen; Humboldt County, two Senators and three Assemblymen.

Present terms not disturbed.

SEC. 2. Nothing in this Act shall be so construed as to disturb Senatorial terms (long or short), as they now exist by law in the several counties in this State; *provided*, that at the next general election, to wit: In A. D. eighteen hundred and seventy-six, the County of Eureka shall elect one Senator to hold office

Eureka County.

for the term of four years, and one Senator to hold office for the term of two years; *and, provided further*, that the County of Esmeralda shall not elect a Senator until the general election in A. D. eighteen hundred and seventy-eight, unless a vacancy shall occur by death, resignation, or otherwise, in the office now filled by the Hon. A. Garrard, from said county, prior to that time.

Esmeralda
County.

SEC. 3. All Acts and parts of Acts, in conflict with the provisions of this Act, are hereby repealed.

Conflicting
Acts
repealed.

CHAP. LXXVI.—*An Act more fully defining the powers of and duties of the State Board of Regents in connection with the State University.*

[Approved March 5, 1875.]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. In addition to the powers conferred upon the Board of Regents in section three of "An Act to locate the State University, and to provide for the control and maintenance of the same," approved March seventh, eighteen hundred and seventy-three, they shall have full power over the buildings and grounds belonging to or connected with said University, to make all improvements of such buildings and grounds that they shall deem for the interest of said University; and they shall have full power to make all expenditures that they may deem necessary for the benefit and improvement of the institution under their charge, and the same shall be paid out of the appropriation for the maintenance of the State University.

Powers of
Board of
Regents.

SEC. 2. The Board of Regents shall have power to employ at least one duly qualified teacher, at an annual salary not to exceed three thousand dollars; said teacher shall serve as principal of the preparatory department of the University.

Teacher
may be
employed,
compensation
of.

SEC. 3. All Acts and parts of Acts relating to the University, so far as they conflict with the provisions of this Act, are hereby repealed.

Conflicting
Acts
repealed.

CHAP. LXXVII.—*An Act to amend an Act entitled "An Act to regulate proceedings in civil cases in the Courts of justice of this State, and to repeal all other Acts in relation thereto," approved March eighth, eighteen hundred and sixty-nine.*

[Approved March 5, 1875.]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. Section three hundred and forty-one of said Act is amended so as to read as follows:

Undertaking on appeal, etc.

Section Three Hundred and Forty-one. To render an appeal effectual for any purpose, in any case, a written undertaking shall be executed on the part of the appellant by at least two sureties, to the effect that the appellant will pay all damages and costs which may be awarded against him on the appeal, not exceeding three hundred dollars; or that sum shall be deposited with the Clerk with whom the judgment or order was entered, to abide the event of the appeal. Such undertaking shall be filed, or such deposit made with the Clerk, within five days after the notice of appeal is filed; *provided*, that when a county is the appellant no undertaking on appeal nor deposit shall be required to be executed or made, as above set forth.

CHAP. LXXVIII.—*An Act for the relief of C. L. Phippeny, of Humboldt County, and Willett Gates, of Lyon County.*

[Approved March 5, 1875.]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

Controller to draw warrants, etc.

SECTION 1. The Controller of the State of Nevada is hereby authorized and directed to draw his warrants upon the Treasurer of said State as follows: In favor of C. L. Phippeny, of Humboldt County, State of Nevada, for the sum of eighty dollars, in legal tender notes of the United States, payable out of the School Fund of said State; and in favor of Willett Gates, of Lyon County, State of Nevada, for the sum of seventy-nine and ninety-eight one hundredths dollars, legal tender notes of the United States, payable out of the State Prison Fund of said State; and the said Treasurer is hereby authorized and directed to pay said warrants out of said funds, as herein stated. Said persons having paid into the State Treasury of Nevada said sums of money for lands, which the said State could not acquire or give a title to.

CHAP. LXXIX.—*An Act to amend an Act entitled "An Act for the government and maintenance of the State Orphans' Home."*

[Approved March 5, 1875.]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. Section four of said Act is hereby amended so as to read as follows:

Section Four. The salary of the Superintendent and Matron Salaries. shall be three thousand dollars per annum, for the services of both; and the salary of the teacher shall not exceed one thousand dollars per annum, nor that of the Secretary three hundred dollars per annum.

CHAP. LXXX.—*An Act to amend section one of an Act entitled "An Act providing for the location and taxation of borax and soda mines," approved March seventh, eighteen hundred and seventy-three.*

[Approved March 5, 1875.]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. Section one is hereby amended so as to read as follows:

Section One. Where borax and soda mines and claims are being worked for borate of soda, borate of lime, boracic acid, or carbonate of soda, the net proceeds thereof shall be taxed in the manner prescribed by law for taxing the net proceeds of mines. Proceeds of borax and soda mines, taxation of.

CHAP. LXXXI.—*An Act amendatory of an Act entitled "An Act concerning jurors [juries]," approved March fifth, eighteen hundred and seventy-three.*

[Approved March 5, 1875.]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. Section nine of said Act is hereby amended so as to read as follows:

Section Nine. Upon satisfactory proof made by affidavit or otherwise, the following named persons and no others may be Exemptions from jury service

Bounds
may be
estab-
lished, etc.

Jury Fund,
how
applied.

Clerk to
keep
account of
fund, at-
tendance,
etc.

Jurors,
how paid.

exempted from serving as grand or trial jurors: Any Judge, Justice of the Peace, County Clerk, Sheriff, Assessor, Constable, practicing attorney, physician, telegraph operators, and one half of all members of each regularly enrolled fire company in this State—said half to be determined by the several fire companies, respectively—and all officers of such fire companies, not exceeding ten in number for each company. The Judges of the several District Courts may, by an order entered upon the minutes of their Courts, prescribe bounds in their several counties, and all persons residing without said bounds may be exempted from serving on juries in the manner hereinafter prescribed. Any person residing without such bounds may present his affidavit showing his exemption to the Court or Judge, and if the Judge shall be satisfied therefrom that he is one of the persons entitled to be exempt under the provisions of this Act, he shall indorse thereon an order to the Clerk to make an entry on the jury list opposite the name of the applicant, showing that he is exempted from jury service till the first Monday of January next ensuing. Upon presentation of this order to the Clerk, and upon payment to him of the sum of twenty-five dollars in gold coin, it shall be the duty of the Clerk to grant him a certificate showing the payment of said sum, and specifying that he is exempted from jury service until the first Monday of January next ensuing. The Clerk shall also file the affidavit and order, and make the proper entry on the jury list. The moneys coming into the hands of the Clerk under the operation of this law shall constitute a Jury Fund, for the safe keeping and due application of which the Clerk and his bondsmen shall be responsible on his official bond. It shall be applied, first, to the payment to the Clerk of fifty cents for each juror exempted, for his services in filing the affidavit and order and issuing the certificate herein provided for, and two per cent. of the whole sum collected for all other services rendered in pursuance of this Act. The balance of the fund shall be applied to the payment of the compensation of the jurors who served on trial juries. It shall be the duty of the Clerk to keep an accurate account of all moneys received and disbursed under the provisions of this section, and to submit the same to the inspection of the Court whenever it is so ordered; and it shall be the duty of the Judge to inspect and verify said account at the close of each term of the Court. It shall also be the duty of the Clerk to keep an accurate account of the attendance of each juror during the term of the Court, and at the close of the term to ascertain the amount due each juror for mileage and attendance, after deducting the amount received by him as fees in civil cases. If there is money enough in the Jury Fund to pay the jurors in full, they shall be paid therefrom. If the amount in the Jury Fund is insufficient to pay the jurors in full, said jurors shall be paid from said fund in the order of their claims until the fund is exhausted; the balance of the jurors, if any, shall be paid from the General Fund of the county.

CHAP. LXXXII.—*An Act amendatory of and supplementary to an Act entitled "An Act concerning juries," approved March fifth, eighteen hundred and seventy-three.*

[Approved March 5, 1875.]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. When at any time there shall be a larger number of trial jurors in attendance upon any Court than are required for the business of the term, or for the time being, the Court may excuse, temporarily, or discharge for the term, a sufficient number of those who have served longest, to reduce the panel to the number required.

Discharge
of trial
jurors.

CHAP. LXXXIII.—*An Act in relation to sending mineralogical specimens to the Centennial Exhibition, at Philadelphia, in eighteen hundred and seventy-six.*

[Approved March 5, 1875.]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. The sum of twenty thousand dollars in United States gold coin, out of any money in the General Fund of the State Treasury, or which may hereafter be therein, is hereby taken out of said General Fund and made into one to be known as the Centennial Fund, and said fund shall be drawn upon for purposes in this Act specified, and none other. Expenditures of money from said fund shall be under the direction and control of the State Board of Centennial Commissioners of this State, and shall be made for the securing, labeling, classifying, packing, and transportation of appropriate mineralogical specimens from this State, for exhibition in the Centennial Exhibition, at Philadelphia, in eighteen hundred and seventy-six.

Centennial
Fund
created.

Expendi-
tures from
fund, how
made.

SEC. 2. Said fund hereby created may be drawn upon by said State Board of Centennial Commissioners in advance of actual expenditure, when made to appear to be necessary, upon application to, and approval by, the State Board of Examiners of this State, properly certified by said Board of Examiners, to the State Controller, who shall thereupon draw his warrant for the amount on the State Treasurer, payable out of the Centennial Fund, in favor of the State Board of Centennial Commissioners, and the Treasurer shall pay the same; *provided*, that the State Board of Examiners shall, before certifying any such application, require of the State Board of Centennial Commissioners a good and sufficient bond, to be approved by said State Board of Examiners, for the faithful expenditure and accounting for, or

Drafts on
fund in
advance of
actual
expendi-
tures.

Bond.

the return to the State Treasury of this State, of all money so advanced therefrom.

Claims
against
fund to be
certified.

SEC. 3. All claims against this State for expenditures of moneys under the provisions of this Act, shall be certified by the Executive Committee of the said State Board of Centennial Commissioners to the State Board of Examiners; and the latter Board, if it approve, shall certify said claim or claims to the Controller of State.

Advances,
how
charged.

SEC. 4. When any advance is made, as in this Act provided for, the Controller of State shall charge the amount thereof to the State Board of Centennial Commissioners aforesaid.

Claims,
how paid.

SEC. 5. When any claim against the State shall be presented, under the provisions of this Act, to the State Board of Examiners, it shall be specified thereon whether or not the same has been paid out of a previous advance of money made by the State pursuant to this Act; and if it be a claim so paid, the Controller of State shall credit it against the previous charge or charges made, as provided in section four of this Act; and if it be a claim not so paid, he shall draw his warrant for the amount thereof, in favor of the claimant, on the State Treasurer, payable out of the Centennial Fund, and the Treasurer shall pay the same.

Quartz mill
may be
erected.

SEC. 6. The said State Board of Centennial Commissioners may apply moneys appropriated by this Act, for the purpose of erecting and having at said Centennial Exhibition a quartz mill, to be operated at least one day in each week during said Centennial Exhibition, in the reduction of such ores as may be furnished by citizens of this State for that purpose.

Donation of
mineral-
ogical
specimens.

SEC. 7. Such mineralogical specimens as shall be exhibited from this State, pursuant to this Act, shall be donated by said Board of Centennial Commissioners, on behalf of this State, to the National Cabinet, at Philadelphia, at the close of said Centennial Exhibition.

Report of
Commis-
sioners.

SEC. 8. Said Board of Centennial Commissioners shall make a full and detailed report and statement of their proceedings and expenditures, pursuant to this Act, to the Governor of this State, who shall transmit the same to the Legislature at the next regular session thereof.

Unex-
pended
surplus to
revert to
General
Fund.

SEC. 9. Any part of the Centennial Fund created by this Act, not expended as herein provided, shall revert to the General Fund of the State.

Compensa-
tion to
State
officers
forbidden.

SEC. 10. No officer of this State shall receive from the State any compensation for any service rendered or labor performed under the provisions of this Act.

CHAP. LXXXIV.—*An Act supplementary to an Act entitled "An Act for the government and maintenance of the State Orphans' Home."*

[Approved March 5, 1875.]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. The Directors of the State Orphans' Home are hereby authorized and directed to cause a convenient and easily accessible fire escape to be constructed and attached to the State Orphans' Home building; and, also, to cause to be erected, out-buildings and necessities, and to make such improvements in and about said building as the necessities of the case may require; *provided*, the expense of so doing shall not exceed the sum of one thousand dollars.

Fire escape, etc., at Orphans' Home.
Limit of outlay.

CHAP. LXXXV.—*An Act to amend an Act entitled "An Act to provide for the destruction of noxious animals within this State," approved March seventh, eighteen hundred and seventy-three.*

[Approved March 5, 1875.]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. If any person shall take and kill within this State any of the following noxious animals, he shall be entitled to receive out of the Treasury of the county within which such animal or animals shall have been taken, the following bounties, to wit: For every coyote or prairie wolf, one dollar and fifty cents; for every lynx or wild cat, three dollars; for every California lion, three dollars; all of which bounties shall be subject to the provisions of this Act.

Bounties for destruction of noxious animals.

SEC. 2. Every person intending to apply for such bounty shall take the scalp, with the ears connected thereto, or the skin entire, of the noxious animal or animals killed by him, to some Justice of the Peace of the county within which such noxious animal or animals shall have been taken.

Scalps or skins to be produced.

SEC. 3. The person claiming such bounty shall then be sworn by such Justice, and state on oath the time and place when and where every noxious animal for which a bounty is claimed by him was taken and killed, and shall also submit to such further examination on oath concerning the taking and killing of such noxious animal or animals as the Justice may require.

Oath and examination.

SEC. 4. If it shall appear to the Justice that the noxious animal or animals have been taken and killed within the county, he shall cut off the ears from the scalp and destroy the said ears, and give to the person so sworn a certificate, stating the number of scalps deposited with and destroyed by him. The said

Justice of the Peace, duties of.

Justice shall receive for each oath administered by him twenty-five cents, and for each certificate twenty-five cents, the same to be allowed out of the General Fund of the county.

County Commissioners to allow claims.

SEC. 5. Upon the presentation to the Board of Commissioners of the proper county of any such certificate, they are hereby authorized and directed to allow the amount due, under the provisions of this Act, to the person therein named, out of the General Fund of such county.

Repeal.

SEC. 6. An Act entitled "An Act to provide for the destruction of noxious animals within this State," approved March seventh, eighteen hundred and seventy-three, is hereby repealed.

CHAP. LXXXVI.—*An Act to provide for the payment of attorneys in certain cases.*

[Approved March 5, 1875.]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

Compensation of attorney appointed to defend, etc.

SECTION 1. An attorney appointed by a Court to defend a person indicted for any offense, is entitled to receive from the County Treasury the following fees: For a case of murder, such fee as the Court may fix, not to exceed fifty dollars; for felony, such fee as the Court may fix, not to exceed fifty dollars; for misdemeanor, such fee as the Court may fix, not to exceed fifty dollars. Such compensation shall be paid by the County Treasurer out of any moneys in the Treasury, not otherwise appropriated, upon the certificate of the Judge of the Court that such attorney has performed the services required.

How paid.

Enlarged fee in certain cases.

SEC. 2. An attorney cannot, in such case, be compelled to follow a case to another county or into the Supreme Court, and if he does so, may recover an enlarged compensation, to be graduated on a scale corresponding to the prices allowed.

Act to take effect.

SEC. 3. This Act shall take effect from and after its passage.

CHAP. LXXXVII.—*An Act to amend an Act entitled "An Act to amend an Act entitled 'An Act relative to attorneys and counselors at law,' approved March fourth, A. D. eighteen hundred and seventy-one.*

[Approved March 5, 1875.]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. Section one of the Act to which this Act is amendatory is hereby amended so as to read as follows:

Section One. Every applicant for admission as attorney and counselor at law shall produce satisfactory testimonials of good moral character, and undergo such examination, as to his qualification, as the Supreme Court may direct; *provided*, that such examinations and testimonials may be dispensed with at the discretion of said Court; and it is hereby made the duty of the Supreme Court, upon application of the District Judge of any Judicial District within this State, to appoint a committee to examine persons applying for admission as attorneys and counselors at law, under such rules and regulations as the Supreme Court may prescribe, which committee shall consist of the District Judge of the District, and at least two attorneys at law of the district in which the committee is appointed. And it shall be the duty of the committee so appointed to examine persons applying for admission to practice law, and report to said Supreme Court the result of such examination, with recommendation that the person or persons so examined be or be not admitted to practice law. Upon the filing and approval by said Supreme Court of the report of any committee so appointed, the Supreme Court may order the Clerk of said Supreme Court to issue to the person or persons so recommended a license, authorizing such person or persons to practice as attorneys and counselors at law in all the State Courts within this State; but no license shall be issued, under the provisions of this Act, until the person to whom the same may issue shall have filed with the Clerk of the Supreme Court his official oath, and paid over to the State Treasurer the sum of twenty-five dollars, as now provided by law.

Attorneys and counselors at law, admission of.

Examining committee to be appointed when.

Duty of committee.

Admission of person examined by committee.

Attorney's oath and fee.

CHAP. LXXXVIII.—*An Act to provide for taking the census of the State of Nevada in the year eighteen hundred and seventy-five.*

[Approved March 5, 1875.]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. An enumeration of the inhabitants of the State of Nevada shall be made during the year eighteen hundred and seventy-five, pursuant to the provisions of the thirteenth section of Article Fifteen of the Constitution.

Census to be taken.

SEC. 2. Said census shall be taken in the same manner the census was taken of said State in eighteen hundred and seventy, under the authority of the Congress of the United States.

Census, how taken.

SEC. 3. Said enumeration of the inhabitants of this State shall be made in each county thereof, by the County Assessor of such county, during the time of and while assessing the property of such county for purposes of taxation, for the fiscal year eighteen hundred and seventy-five.

Enumeration to be made by County Assessor.

SEC. 4. When completed, each County Assessor shall officially certify the enumeration made by him of the inhabitants of his county to the Governor of this State, who shall lay the same

Assessor to certify enumeration.

Oath to be taken. before the Legislature at the next regular session thereof. Before entering upon the discharge of the duties imposed by this Act, each County Assessor shall take and subscribe an oath, to the effect that he will fully, fairly, and honestly discharge said duties; and deputies shall take and subscribe a like oath. The official oaths herein provided for shall be taken and filed as required by law in regard to other official oaths.

Compensation of County Assessors. SEC. 5. For the services herein required of County Assessors they shall be allowed two dollars per day, which shall be allowed and paid in the same manner as is their compensation for assessing property for purposes of taxation; *provided*, such payment shall be made wholly out of State funds, and such allowance and payment shall be certified to the Controller of State, in the same manner and at the same time as provided in section seventy-seven of the general revenue law of this State.

Blanks, etc. SEC. 6. Blanks shall be procured by the Controller and forwarded to each County Assessor in the State, on or before the second Monday in April of this year, for taking said census.

CHAP. LXXXIX.—*An Act authorizing the transfer of certain moneys from the Special Land Fund to the State School Fund.*

[Approved March 5, 1875.]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

Transfer from Special Land Fund to State School Fund directed. SECTION 1. The State Controller and State Treasurer are hereby authorized and directed to transfer seventeen hundred and eighty-two dollars and seventy cents from the Special Land Fund to the State School Fund.

CHAP. XC.—*An Act to amend an Act entitled "An Act to provide revenue for the support of the government of the State of Nevada," approved March ninth, eighteen hundred and sixty-five.*

[Approved March 6, 1875.]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. Section fifty-nine of above entitled Act is hereby amended so as to read as follows:

Licenses. Section Fifty-nine. License shall be obtained by any person or persons, private association, or corporation, doing business in this State, engaged in one or more of the following occupations, to wit: In buying foreign or inland bills of exchange, or sight

checks, or drafts, or in loaning money at interest, or in buying or selling notes, bonds, or other evidences of indebtedness of private persons, for [or] State, county, or city stocks or indebtedness, or stock of incorporated or unincorporated companies or person or persons, or in buying or selling gold dust, gold or silver bullion, gold or silver coin, or engaged as keeper of savings banks, or engaged in receiving general or special deposits of gold dust, gold or silver coin, or bullion, for profit. All such persons, companies, and corporations are hereby declared to be bankers within the meaning of this Act; *provided*, that checks used in the transaction of business, which are drawn and payable within this State, shall not be included as being liable to the provisions of this Act in regard to licenses. Licenses shall also be obtained by any person or persons, private associations, or corporations, doing business in this State, and engaged in transmitting gold dust, gold or silver coin, or bullion, from any place in this State to any place without this State, or from one place to another place within this State, for profit, and the same shall be taken to be a common carrier within the meaning of this Act.

Bankers defined.

Proviso.

License required.

Common carrier defined.

SEC. 2. Section sixty-one of the above entitled Act is hereby amended so as to read as follows:

Section Sixty-one. Bankers, as defined in section fifty-nine of this Act, shall be divided into six classes, as follows: Those doing business in the aggregate to the amount of five hundred thousand dollars or more per month, shall constitute the first class; those doing business in the aggregate to the amount of three hundred thousand dollars and less than five hundred thousand dollars per month, shall constitute the second class; those doing business to the amount of two hundred thousand dollars and less than three hundred thousand dollars per month, shall constitute the third class; those doing business to the amount of one hundred thousand dollars and less than two hundred thousand dollars per month, shall constitute the fourth class; those doing business to the amount of fifty thousand dollars and less than one hundred thousand dollars per month, shall constitute the fifth class; and those doing business in any amount less than fifty thousand dollars per month, shall constitute the sixth class. The license for the first class shall be given upon the payment of two hundred dollars per month; for the second class, upon the payment of one hundred and fifty dollars per month; for the third class, upon the payment of one hundred dollars per month; for the fourth class, upon the payment of seventy-five dollars per month; for the fifth class, upon the payment of fifty dollars per month; and for the sixth class, upon the payment of twenty-five dollars per month; and a separate license shall be obtained for each establishment or separate house of such business located in the same county. Common carriers, as defined in section fifty-nine of this Act, shall be liable to an annual license of one hundred and fifty dollars, payable quarterly; *provided*, that but one license shall be required from the same person, company, or corporation, in the same county.

Bankers classified.

Banking licenses, amount of.

Common carrier, license of.

CHAP. XCI.—*An Act to amend "An Act entitled an Act concerning unlawful stock," approved April tenth, eighteen hundred and sixty-two.*

[Approved March 6, 1875.]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. Section five of said Act is hereby amended so as to read as follows:

Animals
trespassing,
etc.

SECTION FIVE. Any hog or hogs, goat or goats, found trespassing upon the premises of any person or persons in this State, may be taken up by the owner or owners of such premises, and safely kept at the expense of the owner or owners of the hog or hogs, goat or goats, so found trespassing.

CHAP. XCII.—*An Act to provide for the erection and maintenance of partition fences.*

[Approved March 6, 1875.]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

Partition
fences, etc.

SECTION 1. Partition fences, between improved lands in this State, may be erected and repaired at the joint expense of the occupants, as hereinafter provided. If any person makes a fence, a partition fence, by joining to or using it as such, he must pay to the person erecting it his proportion of the expense, taking into consideration the condition of such fence at the time it is so joined to or used.

Fence
Viewers
to be
appointed;
report of.

SEC. 2. If the parties cannot agree, on application, by either, to a Justice of the election precinct in which such fence is, such Justice must issue his order to three (3) disinterested freeholders of such precinct, not related to either of the parties, to examine such fence and to ascertain the amount to be paid to the owner erecting the same; and such freeholders, on a day to be by them appointed, within ten days after the issuance of the order, of which both parties must have notice, must examine such fence, and report to the Justice who issued the order the proportionate amount to be paid to the person erecting the fence; and if such amount is not paid within thirty (30) days after such report, the Justice, on request of the person erecting such fence, must issue execution for such amount, with costs, as provided in the following section, to be collected and returned as other executions. If the fence viewers report that the party making the application is not entitled to any amount to be paid him, then the cost of the application shall be taxed against him, and execution shall be issued therefor.

SEC. 3. The Justice is entitled to one dollar for issuing the

order, and the fence viewers to two dollars and fifty cents each, Fees. one half of which is to be paid by each party; and not being paid within thirty days after the report, execution must issue therefor, with costs for issuing and serving such execution.

SEC. 4. The fence viewers, before proceeding to act, must take an oath, which may be administered by one to the other, ^{Oath of Fence Viewers.} to discharge their duties fairly and impartially.

SEC. 5. Partition fences, within the meaning of this Act, are fences erected on the line between lands owned or occupied by different persons; and improved lands, within the meaning of this Act, are lands cultivated in grain or vegetables, or set in grass, clover, or alfalfa, from which hay is cut, and town lots. ^{Partition fences defined. Improved lands defined.}

SEC. 6. This Act shall be in force from and after its passage. ^{Act to take effect.}

CHAP. XCIII.—*An Act to amend an Act entitled "An Act to regulate fees and compensation for official and other services in the State of Nevada," approved March ninth, eighteen hundred and sixty-five.*

[Approved March 6, 1875.]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. Section five of said Act is so amended as to read as follows:

Section Five. The fees allowed to Sheriffs in the counties of this State shall be as follows: ^{Sheriff's fees.}

For serving a summons or complaint, or any other process by which an action or proceeding is commenced, on every defendant, two dollars.

For traveling in making such service, per mile, in going only, to be computed in all cases from the Court House of the county, fifty cents for the first ten miles, and for each and every additional mile, forty cents; *provided*, that if any two or more papers are required to be served in the same suit, at the same time, where parties live in the same direction, one mileage only shall be charged.

For taking bond, or undertaking in any case in which he is authorized to take the same, one dollar and fifty cents.

For copy of any writ, process, or other paper, when demanded or required by law, for each folio, thirty cents.

For serving every notice, rule, or order, one dollar.

For serving a subpoena, for each witness summoned, fifty cents.

For traveling, per mile, in serving such subpoena or venire, in going only, fifty cents for the first ten miles, and for each and every additional mile, forty cents; but when two or more witnesses or jurors live in the same direction, traveling fees shall be charged only for the most distant.

For serving an attachment on property, or levying an execution, or executing an order of arrest, or order for delivery of

Sheriff's
fees.

personal property, three dollars, together with traveling fees, as in cases of summons.

For serving an attachment on any ship, boat, or vessel, in proceedings to enforce any lien thereof created by law, five dollars.

For making and posting notices and advertising for sale on execution, or under any judgment or order of sale, not to include the cost of publication in a newspaper, two dollars.

For commissions for receiving and paying over money on execution or process, where lands or personal property has been levied on, advertised, and sold, on the first five hundred dollars, four per cent.; not exceeding one thousand dollars but over five hundred dollars, two per cent.; on all over one thousand dollars and not exceeding fifteen hundred dollars, and on all sums above that amount, one per cent.

For commissions for receiving and paying over money on execution without levy, or when the lands or goods levied on shall not be sold, on the first thousand dollars, one per cent.; on all over that sum one half per cent.

The fees herein allowed for the levy of an execution, for advertising, and for making and collecting money on an execution, shall be collected from the defendants by virtue of such execution, in the same manner as the same may be therein directed to be made.

For drawing and executing every Sheriff's deed to be paid by the grantee, who shall in addition pay for the acknowledgment thereof, five dollars.

For serving a writ of possession or restitution, putting any person into possession entitled thereto, five dollars.

For traveling in the service of any process not hereinbefore mentioned, for each mile necessarily traveled, for going only, fifty cents for the first ten miles, and for each and every additional mile, forty cents.

For attending, when required, on any Court, in person or by deputy, for each day, to be paid out of the County Treasury, five dollars.

For bringing up a prisoner on habeas corpus to testify or answer to any Court, or for examination as to the cause of his arrest and detention, or to give bail, two dollars; he shall also be allowed such further compensation for his trouble and expense in taking possession of property under attachment or execution or other process, and of preserving the same, as the Court from which the writ or order may issue shall certify to be just and reasonable.

For holding each inquest or trial of right of property, when required, to include all services in the matter except mileage, ten dollars.

For attending on the Supreme Court, either in person or [by] deputy, to be paid out of the State Treasury as other claims, for each day, eight dollars.

For every arrest in a criminal proceeding, three dollars.

For serving each subpoena in criminal cases, fifty cents.

For executing every sentence of death, fifty dollars.

For summoning a Grand Jury of twenty-four persons, fifteen dollars.

For summoning each trial jury of twelve persons, six dollars; Sheriff's fees.
for each additional juror, fifty cents.

For service of any process in [a] criminal case, the same mileage as in civil cases.

In serving subpoenas or venire in criminal cases, he shall receive mileage for the most distant only, where witnesses and jurors live in the same direction.

For all services in Justices' Courts, the same fees as are allowed to Constables.

SEC. 2. Section seven of said Act is so amended as to read as follows:

Section Seven. The following fees shall be allowed to Constables: Constable's fees.

For serving summons or other process by which suit is commenced in civil cases, one dollar.

For summoning a jury before a Justice of the Peace, two dollars.

For taking a bond or undertaking, one dollar.

For serving an attachment against the property of [a] defendant, two dollars.

For serving subpoenas, for each witness, twenty-five cents.

For summoning and swearing a jury to try the rights of property, and taking the verdict, two dollars.

For receiving and taking care of property on execution, attachment, or order, his actual necessary expenses, to be allowed by the Justice who issued the execution, upon the affidavit of the Constable that such charges are correct, and the expenses necessarily incurred.

For [a] copy of any writ, process, or other paper, when demanded or required by law, per folio, thirty cents.

For drawing and executing every Constable's deed, to be paid by the grantee, who shall also pay the acknowledgment thereof, five dollars.

For each certificate of sale of real estate under execution, one dollar.

For collecting all sums on execution, to be charged against the defendant in execution, two per cent.

In levying an execution or executing an order of arrest in civil cases, or order for the delivery of personal property, with traveling fees as for summons, two dollars.

For making and posting notices, and advertising property for sale on execution, not to include the cost of publication in a newspaper, two dollars.

For mileage in serving summons, attachment, execution, order, venire, subpoena, or other process, in civil cases, for each mile necessarily traveled, in going only, fifty cents for the first ten miles, and for each and every additional mile, forty cents; *provided*, that when two or more persons are served in the same suit, mileage shall only be charged for the most distant, if they live in the same direction.

For service and travel in criminal cases, the same fees as are allowed Sheriffs for like services.

For all other services, except for attending Court, the same fees as are allowed to Sheriffs for similar services.

CHAP. XCIV.—*An Act to amend an Act entitled "An Act in relation to the State Library," approved February fourteenth, eighteen hundred and sixty-five.*

[Approved March 6, 1875.]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. Section nine of the above entitled Act is hereby amended so as to read as follows:

Board of
Directors
of State
Library
constituted.
Powers of
Board.

Section Nine. The Chief Justice and Associate Justices of the Supreme Court shall constitute the Board of Directors of the State Library, any two of whom shall have power to act. They shall have power to draw from the State Treasury, at such times as they may deem proper, any money therein belonging to the State Library Fund, and expend the same in the purchase of suitable furniture, books, maps, and charts, and for the binding of laws, journals, reports, pamphlets, and other documents, when requiring such binding, for said State Library. In the purchase of books, regard shall be had to the procurement first, of such works on law and reports on judicial decisions as the said Directors shall believe to be best adapted to the wants of the Supreme Court.

CHAP. XCV.—*An Act to authorize the Controller of State to sell and convey certain lands belonging to the State of Nevada.*

[Approved March 6, 1875.]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

Sale and
conveyance
of certain
lands
belonging
to State.

SECTION 1. The Controller of State is hereby authorized to bargain, sell, and convey to T. K. Hymers the following lands and tenements, to wit: That certain piece or parcel of land situate in Washoe County, Nevada, beginning at a point the northwest corner of the northwest quarter of section seven, in township nineteen north, [of] range twenty east, Monte Diablo base and meridian, and running thence east eighty rods along the north line of said section seven, to a point where the northerly line of the Central Pacific Railroad crosses said section line; thence westerly along the northerly line of said Central Pacific Railroad to a point on the west line of said section seven, about twenty rods south of the northwest corner of said section seven; thence north along said west line of said section seven, to the place of beginning; containing five acres of land, more or less, and being that portion of said northwest quarter of section seven, township number nineteen north, of range number twenty east, lying north of the Central Pacific Railroad, and within the inclosure of said T. K. Hymers.

SEC. 2. Upon the payment by said T. K. Hymers, into the State Treasury, of a sum of money to be agreed upon between the Controller and said T. K. Hymers, the Controller of State shall make, execute, and deliver to said Hymers a good and sufficient deed, conveying to said Hymers all and singular the right, title, and interest of the State of Nevada of, in, and to the land and premises mentioned and described in section one of this Act.

State
Controller
to make
convey-
ance, when.

CHAP. XCVI.—*An Act making appropriations for the support of the civil government of the State of Nevada for the eleventh and twelfth fiscal years.*

[Approved March 9, 1875.]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. The following sums of money are hereby appropriated for the objects hereinafter expressed, and for the support of the government of the State of Nevada for the eleventh and twelfth fiscal years:

Appropriations for support of the State Government, for eleventh and twelfth fiscal years.

For salary of Governor, twelve thousand dollars.

For salary of Lieutenant Governor, as ex officio Adjutant General and State Librarian, seven thousand two hundred dollars.

For salary of Secretary of State, seven thousand two hundred dollars.

For salary of [State] Controller, seven thousand two hundred dollars.

For salary of State Treasurer, seven thousand two hundred dollars.

For salary of Surveyor General and Register, seven thousand two hundred dollars.

For salary of State Mineralogist, seven thousand two hundred dollars.

For salary of Attorney General, seven thousand two hundred dollars.

For salary of Superintendent of Public Instruction, four thousand dollars.

For salary of Justices of the Supreme Court, forty-two thousand dollars.

For salary of Clerk of the Supreme Court, seven thousand two hundred dollars.

For the purchase of the Nevada Supreme Court Reports, thirty-six hundred dollars.

For preparation of Nevada Reports, for publication and advertising, fifteen hundred dollars.

For furnishing fuel, lights, preparing legislative halls, and preparing furniture for the eighth session of the State Legislature, fifteen hundred dollars.

Appropriations for support of the State Government, for eleventh and twelfth fiscal years.

For salary of Governor's Private Secretary, four thousand eight hundred dollars.

For salary of Deputy Secretary of State, six thousand dollars.

For salary of Deputy Controller, six thousand dollars.

For salary of Deputy Treasurer, six thousand dollars.

For pay of attorneys and agents for the State at Washington, three thousand dollars.

For pay of Bailiff of the Supreme Court, one thousand dollars.

For the transportation, care, and support of the indigent insane of the State, to be expended under the direction of the Board of Directors, sixty-five thousand dollars.

For payment of rewards offered by the Governor, five thousand dollars.

For copying and indexing laws by the Secretary of State, seven hundred and fifty dollars.

For copying and indexing Journals of the seventh session, seven hundred and ninety dollars.

For transportation of books and documents, five hundred and fifty dollars.

For stationery, fuel, lights, for State officers and the State Capitol building, to be expended under the direction of the Lieutenant Governor, State Controller, and Secretary of State, seven thousand dollars.

For pay of two Porters and one Night Watchman of State Capitol, to be expended under the direction of the Lieutenant Governor, State Controller, and Secretary of State, seven thousand dollars.

For prosecuting delinquents for infraction of revenue law, and enforcing the collection of revenue, to be expended under the direction of the Controller, three thousand dollars.

For extra clerical services in the office of the State Controller, two thousand dollars; and the Controller is hereby authorized to employ such clerical services as he may need, not exceeding the amount of this appropriation.

For extra clerical services in office of State Treasurer, two thousand dollars; and the Treasurer is hereby authorized to employ such clerical services as he may need, not exceeding the amount of this appropriation.

For extra clerical services in office of Secretary of State, two thousand dollars.

For insurance of State Library and Capitol building, three thousand dollars.

For State printing, paper, and official advertisements, and pay of Expert, to be expended under the direction of the State Controller, Secretary of State, and a Printing Expert, or a majority of them, thirty thousand dollars.

For the support of and conducting the Orphans' Home, to be expended under the direction of the Board of Directors, twenty-six thousand dollars.

For the support and education of the deaf, dumb, and blind, and their transmission to and from the institution, three thousand dollars.

For care, storage, and transportation of State property, five hundred dollars.

For traveling expenses of State Mineralogist, two thousand dollars.

For traveling expenses of Superintendent of Public Instruction, sixteen hundred dollars.

For a current expense appropriation, to defray the telegraphic, postage, and contingent expenses of the several State officers, Supreme Court, and State Library, to be expended under the direction of the Lieutenant Governor, State Controller, and Secretary of State, ten thousand dollars.

For support of Nevada State Prison, including salary of Warden, Deputy Warden, and payment of transportation of convicts, one hundred and fifty thousand dollars.

For services for Chaplain of State Prison, to be expended under the direction of the Board of State Prison Commissioners, five hundred dollars.

For pay of clerk in Surveyor General's office, for the months of January and February, A. D. eighteen hundred and seventy-five, three hundred dollars.

For pay of Deputy Register, draftsman, purchase of maps and charts, and expense of selecting lands in State Register's office, twelve thousand dollars, to be paid out of State School Fund.

For contingent expenses of Board of Examiners, twelve hundred dollars.

For support of State University, to be expended under the direction of the Board of Regents, twenty thousand dollars.

SEC. 2. The various State officers to whom appropriations other than salaries are made under the provisions of this Act, shall, with their biennial reports, submit a detailed and itemized statement, under oath, of the manner in which all expenditures for their respective departments, other than the payment of salaries, have been expended, and that all such expenses were actually and necessarily incurred; *provided*, that no officer shall use or appropriate any money for any purpose whatever unless authorized to do so specifically by law.

Sworn statements of expenditures to be made.

SEC. 3. Nothing herein contained shall be so construed as to apply to any appropriation that may have been or that may hereafter be made specifically by law.

Not to apply to specific appropriations.

CHAP. XCVII.—*An Act to disincorporate the Town of Hamilton, in White Pine County.*

[Approved March 10, 1875.]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

Town of
Hamilton
disincor-
porated.

SECTION 1. The Town of Hamilton, in White Pine County, in this State, is hereby disincorporated; but this Act shall not affect or invalidate any debt due by or to said town, or any penalty or forfeiture accrued to or by said corporation, or affect any contract or liability entered into or imposed upon said corporation.

County
Commissioners
constituted
Board of
Trustees.
Debt of
Hamilton,
provision
for.

SEC. 2. The Board of Commissioners of White Pine County aforesaid, are hereby constituted a Board of Trustees, with the powers and to perform the duties hereinafter set forth.

SEC. 3. The present indebtedness of said Town of Hamilton shall be fully paid. For the purpose of providing for and making such payment, a fund is hereby created in the Treasury of White Pine County aforesaid, to be known as the Hamilton Debt Fund.

Special tax
authorized.

SEC. 4. At the time of levying State and county taxes in said County of White Pine, the Board of County Commissioners thereof shall levy a special tax of not exceeding fifty (50) cents on each one hundred dollars of taxable property within the limits of what has heretofore been the corporation aforesaid; which special tax shall be assessed and collected at the same time and in the same manner that State and county taxes are assessed and collected in said county, and shall at like time and in like manner be paid over to the Treasurer of White Pine County, who shall place the same in the fund created by section three of this Act. Said special tax shall be levied, assessed, and collected annually, until all the liabilities and indebtedness of said Town of Hamilton, made and contracted while the same was a corporation, shall have been fully discharged and paid.

Continu-
ance of tax.

Clerk of
Board of
Trustees.

SEC. 5. The Clerk of the Board of Commissioners of White Pine County shall be Clerk of the Board of Trustees created by section two of this Act.

Debt, how
paid.

SEC. 6. Whenever there shall be the sum of five hundred dollars or more in the fund created by the third section of this Act, the Treasurer of said White Pine County shall (unless warrants shall be presented without such notice in the order of their registry by him) give notice by publication in a newspaper published in or nearest to said Town of Hamilton, once a week for five successive weeks (unless the warrants be sooner presented), that a given amount of money is in said fund, and that the same will be applied to the payment of warrants on said fund oldest in order of registration, specifying their date of registration, their amount, and numbers, if presented within thirty days after the expiration of such notice, and that if not so presented, the money will be applied to the payment of the next warrants in their order of registration.

Notice to
be given,
when.

SEC. 7. When any warrant shall be issued, as provided in

section five of this Act, the holder thereof shall present the same to the Treasurer of White Pine County, who shall pay the same, if there be funds applicable for that purpose; if not, he shall write on the back thereof, "Not paid for want of funds," and date and sign the same, and register such warrant in a book kept by him for that purpose, stating therein the date of such warrant, its number and amount, and when presented to him.

Payment of warrants under Act, etc.

SEC. 8. All moneys in the Treasury of said Town of Hamilton when this Act takes effect, shall then be paid over into the "Hamilton Debt Fund" created by this Act, by the Treasurer of said town, who shall take duplicate receipts therefor from the Treasurer, one of which he shall deliver to the Auditor, who shall thereupon charge said Treasurer with the amount so paid to him; and any moneys which would after the taking effect of this Act be paid into the Treasury of said town, shall be paid into said fund created by this Act, and receipted for by and charged to said County Treasurer, as in this section provided.

Transfer of moneys from Town to Hamilton Debt Fund.

SEC. 9. When any warrant, issued as provided by law, shall be paid by the Treasurer of said county, he shall immediately note on the Registry thereof the time of such payment, and cancel such warrant in the same manner he cancels other warrants when paid by him.

Cancellation of paid warrants.

SEC. 10. The Board of Trustees, created by the second section of this Act, shall have power and is hereby authorized to begin and prosecute any action which said Town of Hamilton, or the corporate authorities thereof, have or would have a right to begin and prosecute, and shall defend any action brought against said town, or against the said Board, as the legal representative thereof. Any costs and expenses necessarily incurred by said Board, in or about any such litigation, shall be paid out of said "Hamilton Debt Fund."

Actions in right of town; powers of Trustees with respect to.

SEC. 11. When all liabilities and debts of said Town of Hamilton shall have been fully discharged and paid, as in this Act provided, any money remaining in said "Hamilton Debt Fund" shall be transferred, by order of the Board of Commissioners of said county, to the "Hamilton School Fund" thereof.

Balance in Hamilton Debt Fund, transfer of.

SEC. 12. This Act shall take effect on the twenty-second day of March, A. D. eighteen hundred and seventy-five.

Act to take effect, when.

CHAP. XCVIII.—*An Act to amend sections five and seven of an Act of the Legislature of the State of Nevada entitled "An Act to provide for constructing and maintaining toll roads and bridges in the State of Nevada," approved March eighth, eighteen hundred and sixty-five.*

[Approved March 10, 1875.]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. Section five of an Act of the Legislature of the State of Nevada entitled "An Act to provide for constructing and maintaining toll roads and bridges in the State of Nevada," approved March eighth, eighteen hundred and sixty-five, is hereby amended so as to read as follows:

Running
toll gate,
etc., made
misdeme-
anor.

Punish-
ment.

Fines
under Act,
how
disposed of.
Costs, etc.

Section Five. If any person, liable to pay toll therefor, traveling upon any toll road within this State, shall run by, or go around, or attempt to run by any toll gate lawfully established on such road, without first paying or tendering the amount of toll demanded therefor by the proprietor thereof, with the intent to avoid the payment of such toll, he shall be deemed guilty of a misdemeanor, and on conviction thereof before any Court of competent jurisdiction, shall, for each offense, be punished by fine in any sum not exceeding fifty dollars, or imprisonment in the County Jail not exceeding five days, or both, at the discretion of the Court. All fines collected under the provisions of this section of this Act shall be paid into the Treasury of the county wherein such conviction shall have been had, for the benefit of the School Fund; but in no case shall the county be responsible for the costs of any prosecution under this section.

SEC. 2. Section seven of said Act, to which this Act is amendatory, is hereby amended so as to read as follows:

Expired
and
forfeited
franchise
to vest in
county.

County
Commissioners,
powers of.

Section Seven. Upon the expiration or forfeiture of any toll road franchise, granted under the provisions of this Act, or any other Act, the ownership of said road, with all the rights and privileges theretofore belonging to the same, shall vest in the county or counties in which said road shall be located; and whenever the same shall have happened, or shall happen, the County Commissioners of the proper county may declare so much thereof as is within their county a free highway, or may collect tolls thereon, to be used in keeping it in repair, or may, by resolution, extend the term of said franchise to the former proprietor of said road, or to his successors or assigns, for the term of five years from the date of such extension, with all the rights and privileges theretofore at any time belonging thereto, subject, however, to the general provisions of this Act.

CHAP. XCIX.—*An Act to reimburse Daniel G. Corbett and William H. Corbett for moneys expended by them on the State Capitol.*

[Approved March 10, 1875.]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. The sum of seven hundred and thirty dollars, in gold coin of the United States, is hereby appropriated out of any moneys in the State Treasury not otherwise specifically appropriated, to reimburse Daniel G. Corbett and William H. Corbett, as Corbett Brothers, for moneys expended by them in the erection of the State Capitol. Appropriation.

SEC. 2. The Controller shall draw his warrant, in favor of said Daniel G. Corbett and William H. Corbett, on the State Treasurer, for said sum of seven hundred and thirty dollars, and the Treasurer shall pay the same; and such payment shall be in full of all demands of said Corbetts against the State of Nevada to the date of the passage of this Act. Controller to draw warrant, etc.

CHAP. C.—*An Act to encourage the construction of cheap transportation lines.*

[Approved March 10, 1875.]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. Any number of persons, not less than three, in this State or the United States, being subscribers to the stock of any contemplated transportation company, may form themselves into a corporation for the purpose of constructing, owning, operating, and maintaining transportation lines, consisting of railroads, canals, and flumes, or either of them, by complying with the following requirements: Whenever stock to the amount of at least two hundred dollars for each and every mile of such proposed railroad, and stock to the amount of at least one hundred dollars for each and every mile of such proposed canal or flume, shall have been subscribed, and ten per cent. in cash of the amount so required to be subscribed shall have been actually and in good faith paid to a Treasurer, to be named and appointed by said subscribers from among their number, then the said subscribers, either in person or by written proxy, after having received at least five days notice from said Treasurer of a meeting of said subscribers for the purpose, may adopt articles of association, and may elect from among the subscribers to said articles not less than three nor more than five Directors; and by complying with the provisions of an Act entitled "An Act to provide for the incorporation of railroad companies and the Corporations for transportation purposes authorized; formation of.

- Benefits of general law. management of the affairs thereof, and other matters relating thereto," approved March twenty-second, one thousand eight hundred and sixty-five, and amendments thereto, approved, severally, February twenty-seventh, one thousand eight hundred and sixty-nine, February ninth, one thousand eight hundred and seventy-one, and February twenty-first, one thousand eight hundred and seventy-one, except as otherwise provided in this Act, they, their associates and assigns, shall be entitled to all the rights, privileges, and franchises relating to right of way, depots, acquiring and using property, and other rights which are granted to railroad corporations in said railroad Act, approved March twenty-second, one thousand eight hundred and sixty-five, and the several amendments thereto, above mentioned, except as herein provided.
- Right of way, etc.
- Powers of such corporations. SEC. 2. Every corporation so formed shall have power to construct, own, operate, and maintain flumes, canals, and railroads for the transportation of wood, lumber, and other freight adapted to the respective lines of transportation, and may construct said railroads with a single track, or with gauge, and of such materials, and may operate such roads with such motive power, as such corporations may determine.
- Sketch map and description of route to be filed. SEC. 3. Persons entitled and desiring to incorporate under the provisions of this Act, for the purpose of constructing such transportation lines between two or more points in this State, may file a sketch-map and general description of the proposed route or routes, in the office of the County Recorder of the counties within or through which such routes may run, and such filing shall confer upon such persons so filing, their associates and assigns, the right to such routes thus designated; *provided*, that such persons, their associates and assigns, shall, within thirty days from such filing, proceed to make and complete, without unreasonable delay, an accurate final or locating survey of such routes, and shall file a map and profile of the same, as required by the aforementioned Act approved March twenty-second, one thousand eight hundred and sixty-five, and the several amendments thereto.
- Final survey, etc.
- Operation of transportation lines formed under Act. SEC. 4. Corporations owning or operating flumes, canals, or railroads under this Act, in the mountains, or depending almost wholly on the mountains for freight, shall not be required to operate the same more than six months per year, nor shall they be obliged to carry passengers.
- Application of provisions of Act. SEC. 5. The provisions of this Act, as to the amount of stock to be subscribed, and the amount of cash to be paid in, shall not apply to railroads of a wider gauge than three feet.

CHAP. CI.—*An Act entitled an Act in relation to public highways.*

[Approved March 15, 1875.]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. Whenever a majority of the taxpayers of any township in any county of this State, whose names shall appear on the last previous assessment roll, shall petition the Board of County Commissioners of such county to divide such township into a road district or road districts, it shall be the duty of said County Commissioners to so divide such township, and to create such road district or districts (fixing the boundary thereof, and having the same recorded), and to appoint a Road Supervisor for each district, to serve until the next general election, when said Supervisors shall be elected by the people of their districts (in the same manner that other township officers are elected), to serve for two years, and until their successors are elected and qualified. When such road district or districts shall once be created, they shall remain the same, and have the rights and be subject to the duties herein given and imposed, until a majority of the taxpayers of such district shall petition the Board of County Commissioners of the county to disorganize the same, when it shall be the duty of such Board to disorganize said district.

County Commissioners to establish road districts.

Road Supervisor.

Road district, when disorganized.

SEC. 2. The County Clerk of the county in which such district or districts may be created, shall immediately after their election or appointment, notify all Road Supervisors so elected or appointed, who shall qualify within thirty days after their appointment or election, as provided in section three of this Act; and whenever a vacancy occurs in said office of Road Supervisor, either from a failure to qualify or from any other cause, the County Commissioners of such county shall appoint a resident of such district to fill said vacancy, who shall serve until his successor elected at the next general election shall be qualified.

County Clerk to notify Road Supervisors.

Vacancy, how filled.

SEC. 3. Any person elected or appointed Road Supervisor shall, before entering upon the discharge of his official duties, take and subscribe to the official oath of the State, and shall execute and deliver a good and sufficient bond, with securities to be approved by the Board of County Commissioners of his county; in a penal sum to be fixed by such Board, of not less than five hundred dollars, conditioned for the faithful performance of the duties of his office in Road District No. —, County of —, Nevada, in pursuance of the provisions of this Act, which said oath shall be filed, and said bond be filed and recorded in the office of the County Clerk of said county. Said bond shall be given to the State of Nevada, and actions for the benefit of any party aggrieved may be brought thereon in any Court of competent jurisdiction, in the same manner and with the same effect as upon other official bonds.

Oath and bond of Road Supervisor.

Action on bond.

SEC. 4. It shall be the duty of each Road Supervisor faithfully to collect all road taxes lawfully imposed and required to

Road Supervisor, duties of.

Supervisor
to file list
and state-
ment.

To pay over
moneys.

Proviso.

Transfer of
moneys
from Road
Fund to
School
Fund,
when to be
made.

Compensa-
tion of
Road
Supervisor.

Proviso.

Road
Fund, how
used.

Road
Fund, how
created.

be paid, and judiciously and economically to expend the same, together with all other sums belonging to the Road Fund of his district, or such part thereof as in his judgment may be required upon the public highways of his district; to superintend all labor upon such highways, and to see that the same is faithfully performed. Such labor may be performed at such times as in the judgment of the Supervisors it will be most beneficial. The Supervisor of each district shall, on the first Monday in January and the first Monday in July of each year, file with the County Clerk of his county a list of the names of all persons in his district who have been residents thereof thirty days, designating those who have paid poll taxes, and at the same time and place shall file a full [and] concise statement of all labor performed, including his own, and all moneys received and paid out. Any surplus of money remaining after payment of all road dues, not including his own wages, he shall pay over to the County Treasurer of his county, and take his receipt therefor. The County Treasurer shall place the same to the credit of the Road Fund, to be used for the benefit of such road district, which said Road Fund the several Boards of County Commissioners of this State are hereby authorized and directed to create and maintain; *provided*, such fund may not be created or maintained in any county which has not or shall not have any road district.

SEC. 5. All moneys remaining in the Road Fund belonging to any road district at the end of every year, or belonging to any district that may disorganize, as provided by this Act, may, on petition of a majority of the taxpayers therein, be applied by the County Commissioners to the building of any bridge or special improvement of any highway in said district, or the county in which said district is situated, or upon such petition, said moneys may be transferred to the School Fund, and applied to the public school or schools of said district.

SEC. 6. The compensation of each Road Supervisor shall be fixed by the Board of County Commissioners, payable out of the Road Fund. Such compensation shall not exceed five dollars per day for each day's work actually performed by him as Supervisor while actually engaged in work or superintending work upon the highways, and six per cent. for collecting and disbursing all road taxes; *provided*, the Supervisors shall receive no compensation for such collections and disbursements, or for notifying men to work on the roads, other than the said six per cent.

SEC. 7. The moneys constituting the fund of said road districts shall first be used in the payment of the bills allowed in favor of such Supervisor for his labor; any surplus may be used in payment of other demands allowed on said Road Fund by the Board of County Commissioners, including building and repairing bridges, aqueducts, and highways of the district to which said fund belongs. And no money shall be drawn from the Road Fund without the order and approval of said Board of County Commissioners.

SEC. 8. To create a Road Fund for the districts hereby authorized to be created, the said County Commissioners are required to set off to said fund fifty per cent. of the net proceeds

of all poll taxes collected from citizens residing in such road districts; also, when a majority of the property holders of such district shall petition the County Commissioners in favor of a property tax, said Commissioners shall levy a tax on all property within such district, at a rate not to exceed three dollars upon each one thousand dollars valuation, which tax shall be collected by the Supervisor as hereinbefore provided, and paid into the Treasury for such Road Fund; *provided*, that any person owing such property tax may pay all or part of the same by labor on the roads of the district, under the direction of the Supervisor, at the rate of three dollars for each full day's work and implements of labor; for team of two animals, four dollars per day; and each additional animal, one dollar per day.

Property
tax author-
ized.

Payment of
tax by
labor.

SEC. 9. To enforce the collection of road taxes as provided in this Act, the Supervisor shall demand of each taxpayer the amount of road taxes due, and upon refusal or neglect to pay the same for the space of twenty days, he may seize so much of any and every species of personal property whatsoever owned by said person owing and refusing to pay said road tax, and shall, after posting notices in three conspicuous places in such district, giving ten days notice, proceed to sell to the highest bidder so much thereof as will be sufficient to pay said road tax and costs of seizure and sale, which costs shall not exceed four dollars in each case.

Enforce-
ment of
collection
of road tax.

Seizure of
property.

SEC. 10. At any time when a majority of the residents of a road district shall petition the County Commissioners of their respective counties for the location, opening for public use, establishment, change, or vacation of any public road or highway, or road to connect with any highway heretofore established, any street or alley in any unincorporated town in such county, setting forth in such petition the beginning, course, and termination of such road or highway, street, or alley proposed to be located and opened to public use, reestablished, changed, or vacated, together with the names of the owner or owners of the lands through which the same may pass, the County Clerk of said county shall lay said petition before the Board of County Commissioners, at their next meeting after the reception of said petition, and thereupon said Board of Commissioners shall, within thirty days thereafter, proceed to locate, open to public use, reestablish, change, or vacate such road or highway, street, or alley. Before opening any new road, street, or alley, through private property, such property shall be condemned for public use as follows: The Board of County Commissioners shall appoint one disinterested person, and the owners or agents of the lands through which such highway may run, shall select one person; and the two shall proceed to view out such road, street, or alley, and shall ascertain and make estimates of damages done to any property through which it may be located, changed, or vacated, after deducting any advantages arising from such road, street, or alley, to the owner or owners of such property. If the two persons' views cannot agree as to such damages, then they shall choose a third person, and the three persons so selected as Road Viewers shall be authorized to

Establish-
ment, etc.,
of public
road, upon
petition.

Condemna-
tion of
property,
etc.

Appoint-
ment of
Viewers.

Third
Viewer
to be
appointed,
in case of
disagree-
ment.

administer oaths and compel the attendance of witnesses, as Road Viewers, and the decision of the Road Viewers shall be final; *provided*, the parties aggrieved by the decision of such Road Viewers shall commence action in the District Court, within twenty days from the date of such decision, to set aside such avowal; and upon the final award and decision of such damages, the Board of County Commissioners shall order the payment of the same out of any moneys belonging to said Road District Fund; and thereupon said Board of County Commissioners shall order the Road Supervisor of the district to open, change, or vacate, as the case may be, such road, street, or alley, according to the petition aforesaid; *provided*, that in no case shall the Commissioners cause any road or street to be opened where the same shall run diagonally through any lands or lot, so as to greatly impair it in shape, without the consent of the owner or owners thereof; and in all cases they shall follow legal or subdivisional lines of the Government survey, or subdivisions of town plats, where the same is practicable.

Action to set aside avowal.

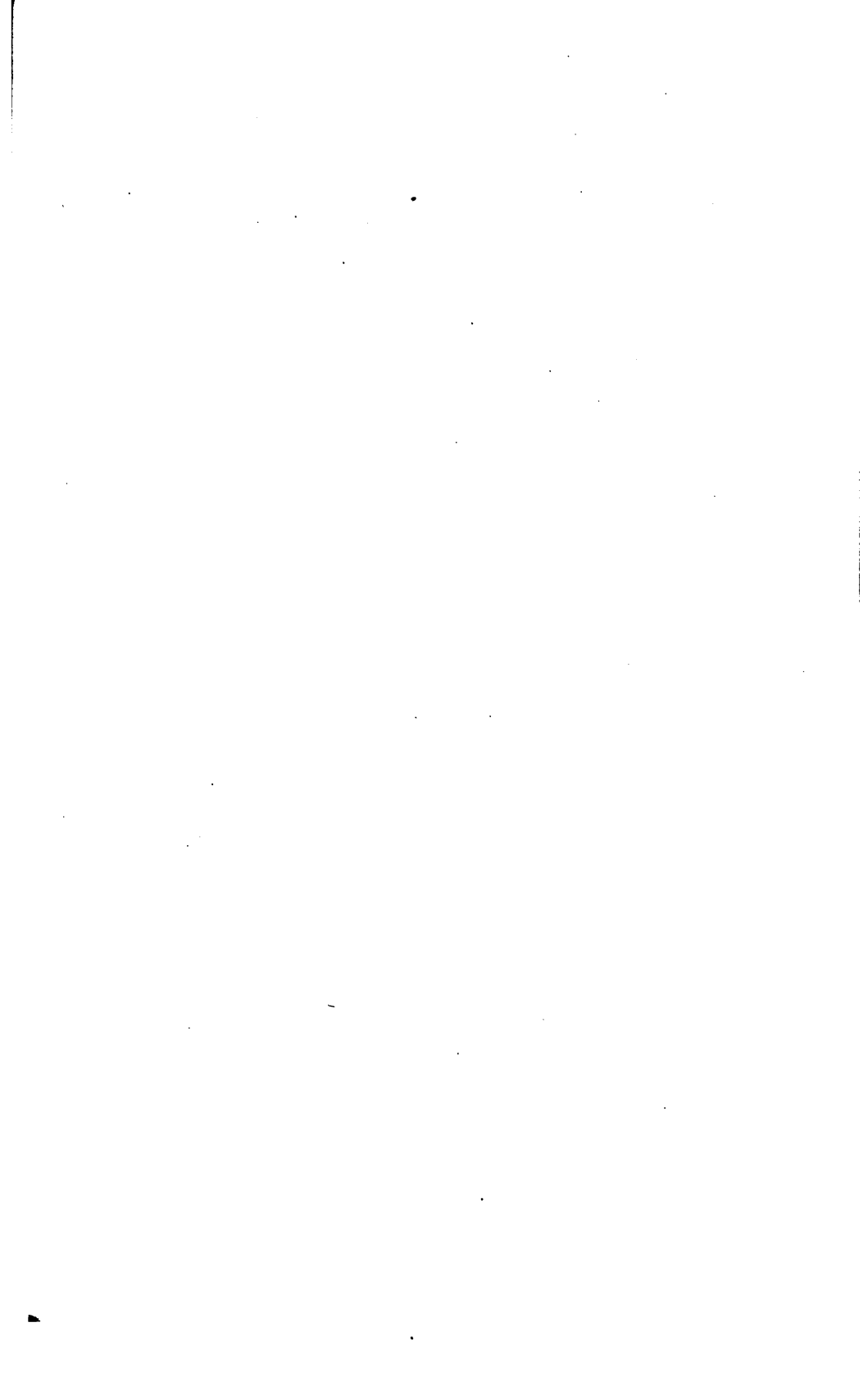
Damages, how paid.

Proviso.

Repeal.

SEC. 11. An Act entitled "An Act in relation to public highways," approved March fifth, eighteen hundred and seventy-three, and all Acts and parts of Acts, in conflict with this Act, are hereby repealed.

RESOLUTIONS AND MEMORIALS.



RESOLUTIONS AND MEMORIALS

PASSED AT THE

SEVENTH SESSION OF THE NEVADA LEGISLATURE, 1875.

ASSEMBLY RESOLUTIONS AND MEMORIALS.

No. I.—*Assembly Joint Resolution.*

[Passed January 12, 1875.]

WHEREAS, The Constitution of the State of Nevada limits the aggregate of representation in the two Houses of the Legislature to seventy-five members; and, whereas, the two Houses already consist of seventy-five members, with propositions to create at least one new county; and, whereas, it has been recommended by his Excellency the Governor, and believed to be for the best interest of the State, that the aggregate representation should be reduced; therefore,

Relative to
reduction
of legisla-
tive repre-
sentation.

Resolved, by the Assembly and Senate conjointly, That a new apportionment of representation be made, on the basis of not more than sixteen Senators and thirty-two Assemblymen, and that a joint committee of seven, three from the Senate and four from the Assembly, be appointed by the presiding officers of the two Houses, respectively, whose duty it shall be to make a careful computation of representation on the above basis, taking the official report of the census taken in the year eighteen hundred and seventy as their guide, as provided in the Constitution, with power to report, by bill or otherwise.

Committee
to be
appointed.

No. II.—*Assembly Concurrent Resolution.*

[Passed January 15, 1875.]

Relative to
appointment of
committee
to examine
State
Prison in
course of
erection.

WHEREAS, On the seventh day of March, eighteen hundred and seventy-three, an Act was approved entitled "An Act authorizing the Board of State Prison Commissioners to purchase the necessary lands, and erect thereon a State Prison;" and, whereas, in pursuance of said Act said Board has selected lands and commenced thereon the erection of a prison; therefore, be it

Report to
be made.

Resolved, by the Assembly, the Senate concurring, That a joint special committee be appointed, consisting of two members of the Senate and three of the Assembly, whose duty it shall be to proceed to the grounds thus selected, and after proper investigation, report as to the eligibility and suitability of the lands selected, the amount of money paid or promised to be paid for the same, the amount and manner of the work done towards building the prison, the cost of the different parts of the work, and what further sum will be required (as near as may be estimated) to finish so much of the prison building as will accommodate one hundred and twenty-five prisoners; also, how much of the same can be performed by prisoners, and such other matters as may be pertinent to this inquiry.

No. III.—*Assembly Concurrent Resolution.*

[Passed January 19, 1875.]

Constitutional
amendment,
relative to
the fiscal
year.

Resolved, by the Assembly, the Senate concurring, That the Constitution of the State of Nevada be amended as follows:

Amend section one of Article Nine of the Constitution of the State of Nevada, so as to read as follows:

Section One. The fiscal year shall commence on the first day of December in each year.

No. IV.—*Assembly Concurrent Resolution.*

[Passed January 19, 1875.]

James
Buckner,
Assessor of
Humboldt
County,
granted
leave of
absence.

Resolved, by the Assembly, the Senate concurring, That James Buckner, Assessor of Humboldt County, be, and he is hereby, granted leave of absence from the State for the period of six months, at such time as he may select during his present term of office; *provided*, the said Buckner shall employ a competent

deputy during such absence, and for whose official acts he shall be held responsible.

No. V.—*Assembly Concurrent Resolution.*

[Passed January 26, 1875.]

Resolved, by the Assembly, the Senate concurring, That a committee of three (3), one (1) from the Senate and two (2) from the Assembly, be appointed to visit the State University at Elko, to investigate its condition and the feasibility of its location, and report the same.

Relative to appointment of committee to visit State University.

No. VI.—*Substitute for Assembly Joint Resolution.*

[Passed January 27, 1875.]

Resolved, by the Assembly and Senate jointly, That a committee of three, one from the Senate and two from the Assembly, be appointed to visit the Asylum at Woodbridge, California, where the insane of the State are being cared for, and the Asylum for the Deaf and Dumb at Oakland, California, where our deaf and dumb are being kept, with full power to administer oaths (in this State), and take testimony concerning the manner of conducting the affairs of said asylums, and the condition of the patients therein, with leave to report, by bill or otherwise.

Relative to appointment of committee to visit the asylum at Woodbridge.

No. VII.—*Assembly Concurrent Resolution.*

[Passed February 1, 1875.]

Resolved, by the Assembly, the Senate concurring, That the joint special committee appointed to visit and report upon the State Prison site at Reno, be empowered to issue subpoenas, send for witnesses and papers, take testimony, and administer oaths, and that they be further authorized to procure the services of some competent civil engineer, if it shall be deemed necessary.

Committee to report on new State Prison site, authorized to take testimony, etc.

No. VIII.—*Assembly Concurrent Resolution.*

[Passed February 2, 1875.]

Mail
service of
south-
eastern
Nevada,
relative to.

WHEREAS, The mail facilities of southeastern Nevada is inadequate to accommodate the growing interests of the State; therefore, be it

Resolved, That our Senators and Representative in Congress be requested to urge upon the Post Office Department the importance of changing the mail route already established from Eureka, via Moray, Hot Creek, to Belmont, so as to include Tybo in said route, and change the service from weekly to semi-weekly.

Governor
to transmit
copies.

Resolved, That his Excellency the Governor be requested to forward a copy of the foregoing resolution to each of our Representatives in Congress.

No. IX.—*Assembly Concurrent Resolution.*

[Passed February 3, 1875.]

F. H. Har-
mon, Clerk
of Eureka
County,
granted
leave of
absence.

Resolved, by the Assembly, the Senate concurring, That F. H. Harmon, County Clerk of Eureka County, be, and hereby is, granted leave of absence from the State, for the period of six months, at such time as he may select during the years eighteen hundred and seventy-five or eighteen hundred and seventy-six.

No. X.—*Assembly Concurrent Resolution.*

[Passed February 3, 1875.]

University
Committee
authorized
to take
testimony,
etc.

Resolved, by the Assembly, the Senate concurring, That the joint special committee appointed to visit and report upon the State University at Elko, be empowered to issue subpoenas, send for witnesses and papers, take testimony, and administer oaths, in relation to said University.

No. XI.—*Assembly Concurrent Resolutions.*

[Passed February 4, 1875.]

WHEREAS, The importation of labor that does not benefit the general interests of the people is detrimental to good government, and of a nature that seriously interferes with the mechanical and industrial interests of the United States; therefore, be it

Relative to
importa-
tion of
Chinese
under
servile
contract.

Resolved, by the Assembly, the Senate concurring, That our Senators and Representative in Congress from the State of Nevada be requested, and they are hereby instructed, to so modify the existing treaties with China so as to prevent the importation of Chinese, male and female, under servile contract.

No. XII.—*Assembly Concurrent Resolution.*

[Passed February 5, 1875.]

Resolved, by the Assembly, the Senate concurring, That we do hereby earnestly solicit the Congress of the United States to restore the duty of ten cents per pound on boracic acid, in order that some protection may be afforded to manufacturers of native borax; and we do hereby instruct our Senators and request our Representative in the Congress of the United States, to use their best endeavors to procure the immediate passage of a Federal statute effecting this object.

Relative to
duty on
boracic
acid, etc.

No. XIII.—*Assembly Concurrent Resolution.*

[Passed February 10, 1875.]

Resolved, by the Assembly, the Senate concurring, That R. L. Chase, County Recorder of Eureka County, be, and he hereby is, granted leave of absence from the State for six months, at any time during the years eighteen hundred and seventy-five or eighteen hundred and seventy-six.

R. L.
Chase,
Recorder of
Eureka
County,
granted
leave of
absence.

No. XIV.—*Joint Memorial and Resolution asking Congress to pass a bill conferring the right to construct a tunnel through White Pine Mountain, State of Nevada, and to purchase public lands contiguous thereto.*

[Passed February 16, 1875.]

Relative to
construction of
tunnel
through
White Pine
Mountain.

Bill before
Congress.

WHEREAS, The State of Nevada contains within its borders, to wit: in White Pine Mountain, White Pine County, a silver vein or deposit; and, whereas, a deep drainage and exploring tunnel is necessary to its further development and its permanent yield of the precious metals; and, whereas, the capital necessary for its construction can be secured by the passage of the following bill, now before Congress: Printer's No. 3,805, Forty-third Congress, First Session H. R. 3,767, in the House of Representatives, June 20, 1874. Read twice, referred to Committee on Mines and Mining, and ordered to be printed. Mr. McCormick, on leave, introduced the following bill:

"A bill conferring the right to construct a tunnel through White Pine Mountain, State of Nevada, and to purchase lands contiguous thereto.

"BE IT ENACTED by the Senate and House of Representatives of the United States of America, in Congress assembled: That for the purpose of constructing, developing, and exploring a tunnel through the White Pine Mountain, located in White Pine District, White Pine County, State of Nevada, the right of way is hereby granted to William F. Walton, his heirs or assigns, to run, construct, and excavate a mining, draining, developing, and exploring tunnel; also, to sink shafts, either mining, working, or air, along the line or course of said tunnel, and connecting with the same at any point which may hereafter be selected by the grantee herein named, his heirs or assigns; that the said tunnel shall be at least eight feet in height and ten feet in width, and shall be commenced at some point, to be selected by the grantee herein named, his heirs or assigns, at the northerly end of said mountain, and within the boundaries of White Pine District, White Pine County, State of Nevada, and extending from said initial point, in a southerly direction, nine miles, more or less, through said White Pine Mountain; and the said right of way shall extend easterly and westerly through said White Pine Mountain, and north and south of the same, for a distance of two thousand feet each way, on or along any lode or lodes which may be discovered or developed by the said tunnel.

"SEC. 2. That the right is hereby granted to the said William F. Walton, his heirs or assigns, to purchase, at one dollar and twenty-five cents an acre, a sufficient amount of public lands, near the mouth of said tunnel, for the use of the same, not exceeding two sections, and such land shall not be mineral land, or in the *bona fide* possession of other persons who claim under any law of Congress at the time of the passage of this Act; that upon filing a plat of said land, the Secretary of the

Interior shall withdraw the same from sale, and upon payment for the same, a patent shall issue, and the said William F. Walton, his heirs or assigns, are hereby granted the right to purchase, at five dollars an acre, such mineral veins and lodes, within two thousand feet on each side of said tunnel, as shall be cut, discovered, or developed by running and constructing the same through its entire extent, together with all dips, spurs, and angles of such lodes, subject, however, to the provisions of this Act and to such legislation as Congress may hereafter provide; *provided*, that all lodes heretofore located and held according to law shall be excepted from this grant, and if such lodes shall be abandoned, or not worked, possessed, and held in conformity to existing mining rules, or such regulations as have been or may be prescribed by the Legislature of Nevada, or by Congress, they shall become subject to such right of purchase by the grantee herein named, his heirs or assigns.

"SEC. 3. That the aforesaid grantee, William F. Walton, his heirs and assigns, are to expend two hundred and fifty thousand dollars, within two years from the date of the passage of this Act, upon the work on said tunnel through White Pine Mountain, and two hundred and fifty thousand dollars each year thereafter, until at least five miles shall have been completed; upon failure to make such expenditure, the rights and privileges granted by this Act are made null and void;" and, whereas, said bill is so guarded that it will conflict with no right acquired by any owner or locator on said vein or deposit; and furthermore, that it asks for no subsidy, but simply for the right of way, and the right to purchase from the General Government such lodes or deposits as may be developed in running said tunnel, and are not located or claimed by others at the time of such developments or discovery; and the further right to buy sufficient land at the mouth of the tunnel for the proper use and convenience of the same; therefore,

Resolved, by the Assembly and Senate conjointly, That our Senators be instructed and our Representative be requested, to use their best endeavors to obtain from Congress the passage of the aforesaid bill.

Resolved, That the Governor be requested to transmit a copy of the foregoing preamble and resolution to each of our Senators and Representative in Congress.

No. XV.—*Assembly Concurrent Resolution recommending a revision of the Constitution.*

[Passed February 18, 1875.]

Resolved, by the Assembly, the Senate concurring, That our history, as a State, has taught us the necessity of revising the Constitution; we therefore recommend the electors, at the next election for members of the Legislature, to vote for or against

Bill before Congress.

Guarded character of bill.

Instructing Representatives.

Governor to transmit copies.

Calling of Constitutional Convention recommended to electors.

the calling of a Convention for the purpose of revising the Constitution of the State of Nevada.

No. XVI.—*Concurrent Resolution relative to granting leave of absence to George W. Merrill.*

[Passed February 23, 1875.]

George W. Merrill, District Attorney of Eureka County, granted leave of absence. *Resolved*, by the Assembly, the Senate concurring, That leave of absence is hereby granted George W. Merrill, District Attorney of Eureka County, for a period of six months, during the year eighteen hundred and seventy-five or eighteen hundred and seventy-six, as he may desire.

No. XVII.—*Assembly Joint Resolution relative to granting pensions to the surviving veterans of the Mexican War.*

[Passed February 27, 1875.]

Pensions to surviving soldiers of Mexican War. *WHEREAS*, The service performed by many present residents of the State of Nevada was, during the Mexican War, of a nature that should meet with prompt recognition; and, whereas, such service should be appropriately acknowledged by the United States Government; therefore, be it

Resolved, by the Assembly, the Senate concurring, That our Senators from the State of Nevada in Congress be instructed, and our Representative of the State of Nevada in Congress be requested, to urge the enactment of a law providing for the payment of pensions to the surviving soldiers of the Mexican War.

No. XVIII.—*Assembly Concurrent Resolution relative to State University.*

[Passed March 4, 1875.]

Colleges of Mining Arts and Agriculture. *WHEREAS*, In order to retain the grant of lands from Congress for the purpose of establishing in the State University a College of Agriculture and College of Mining Arts, it is necessary that such Colleges in connection with the said University should be established before the assembling of the next Legislature of the State of Nevada; it is hereby

Resolved, That the Board of Regents of the University of the State of Nevada be directed and empowered to establish in said University: First—A College of Mining Arts. Second—A College of Agriculture, with such professors and teachers as may be recommended by the present Principal of the University, and required by the provisions of the Acts of Congress making donations of lands for such purposes, and that the expense thereof shall be paid out of the fund appropriated for the maintenance of the State University.

Regents
directed to
establish.

No. XIX.—*Assembly Concurrent Resolution relative to indigent insane.*

[Passed March 4, 1875.]

Resolved, by the Assembly, the Senate concurring, That the Board of Commissioners for the care of our indigent insane be, and hereby are, requested not to make any contract or contracts with any person or persons for the care of our indigent insane for a period of time extending beyond the next meeting of the State Legislature.

Relative to
contract for
care of
indigent
insane.

SENATE RESOLUTIONS AND MEMORIALS.

No. I.—*Senate Joint Resolution.*

[Passed January 7, 1875.]

WHEREAS, Saturday, the ninth day of January, A. D. eighteen hundred and seventy-five, is the day when, in accordance with the Constitution and laws of the State of Nevada, it becomes the duty of the Senate and Assembly to assemble in Joint Convention, for the purpose of inaugurating the Honorable L. R. Bradley, the Governor elect; and, whereas, the Honorable L. R. Bradley, the Governor elect, is now seriously indisposed and will probably be unable to attend before the Joint Convention, on the day aforesaid, for the purpose of taking his oath of office, as required by law; therefore, be it

Relative to
inauguration
of
Governor.

Resolved, by the Senate, the Assembly concurring, That the Senate and Assembly will meet and attend in Joint Convention at the residence of the Honorable L. R. Bradley, in the City of Carson, on Saturday, the ninth day of January, A. D. eighteen hundred and seventy-five, at two o'clock P. M., for the purpose of inauguration.

Resolved, That the Secretary of the Senate be instructed to

Attendance of Justice of Supreme Court. request, on behalf of the Senate and Assembly, one of the honorable the Justices of the Supreme Court, to attend upon the Joint Convention, at the time and place aforesaid, for the purpose of administering the oath of office to the Governor elect.

Lieutenant Governor, installation of. *Resolved*, That after the installation of the Governor elect, the Joint Convention proceed to the Assembly Chamber, for the purpose of installing the Honorable Jewett W. Adams, Lieutenant Governor elect.

No. II.—*Senate Concurrent Resolution, relative to printing the Governor's Message.*

[Passed January 8, 1875.]

Relative to printing and distribution of Governor's Message. *Resolved*, by the Senate, the Assembly concurring, That fifteen hundred copies of the Governor's Message be printed—two hundred and fifty for the Governor; two hundred and fifty for the State officers; three hundred and twenty-five for the Senate, and six hundred and seventy-five for the Assembly.

No. III.—*Senate Concurrent Resolution, relative to Report of Superintendent of Public Instruction.*

[Passed January 13, 1875.]

Relative to printing and distribution of Report of State Superintendent of Public Instruction. *Resolved*, by the Senate, the Assembly concurring, That one thousand (1,000) copies of the Report and accompanying documents of the State Superintendent of Public Instruction be printed—two hundred copies for the use of the Senate; four hundred copies for the use of the Assembly; one hundred copies to be delivered to the Secretary of State, and the residue to be delivered to the State Superintendent of Public Instruction, for the use of School Trustees, County Superintendents, and others in his department, and to supply exchanges with States and Territories.

No. IV.—*Senate Concurrent Resolution relative to the Muddy or Moapa Indian Reservation.*

[Passed January 18, 1875.]

Relative to the Muddy or Moapa Indian Reservation. **WHEREAS**, The President of the United States, by an executive order, dated March twelfth, eighteen hundred and seventy-three, has set apart a large quantity of agricultural land in the County of Lincoln, in this State, for an Indian Reserva-

tion, known as the Muddy or Moapa Indian Reservation; and, whereas, said land embraces nearly one half of the agricultural land of said county; and, whereas, said land has, heretofore, supported a population of some seventeen hundred souls (as the census of eighteen hundred and seventy will show); and, whereas, the withdrawal of said land from pre-emption and settlement by our people, has seriously diminished the revenue of the county and State; and, whereas, said land being directly on the route of travel from Utah and Eastern Nevada to Southern California and Arizona, the establishment of a reservation thereon would be a serious obstruction to travel, and a great detriment to the well being of the whole State; therefore,

Resolved, That our Senators in Congress be instructed and our Representative be requested, to urge the passage of a resolution requesting the President to rescind said order. Resolution.

Resolved, That his Excellency the Governor be requested to forward to each of our Representatives in Congress an engrossed copy of the above preamble and resolution. Governor
to transmit
copies, etc.

No. V.—*Senate Concurrent Resolution relative to leave of absence of W. H. Hall, Treasurer of Esmeralda County.*

[Passed January 20, 1875.]

Resolved, by the Senate, the Assembly concurring, That leave of absence from the State, for a term of six months, be and the same is hereby granted to W. H. Hall, County Treasurer of Esmeralda County. W. H. Hall,
County
Treasurer
of Esmeralda
County,
granted
leave of
absence.

No. VI.—*Senate Concurrent Resolution relative to Report of Directors of State Orphans' Home.*

[Passed January 20, 1875.]

Resolved, by the Senate, the Assembly concurring, That one thousand copies of the Report of the Directors of the State Orphans' Home, for eighteen hundred and seventy-four, be printed—two hundred and fifty copies for the Senate; five hundred for the Assembly; one hundred and fifty for the Directors of the Home, and one hundred for the Secretary of State. Relative to
printing
Report of
Directors of
State
Orphans'
Home.

No. VII.—*Senate Concurrent Resolution relative to Report of State Prison Warden.*

[Passed January 21, 1875.]

Relative to
printing
and distri-
bution of
Report of
Warden of
State
Prison.

Resolved, by the Senate, the Assembly concurring, That seven hundred and fifty (750) copies of the Report of the Warden of the State Prison be printed—four hundred copies for the use of the Assembly; two hundred copies for the use of the Senate, and one hundred and fifty copies to be deposited with the Secretary of State for public distribution.

No. VIII.—*Senate Concurrent Resolution relative to Reports of Bond Commissioners and Indigent Insane.*

[Passed January 22, 1875.]

Relative to
printing
Reports of
Bond Com-
missioners
and
Indigent
Insane.

Resolved, by the Senate, the Assembly concurring, That five hundred (500) copies each, of the Reports of the Bond Commissioners and of the Indigent Insane, be printed—two hundred and fifty (250) of each for the use of the Assembly; one hundred and fifty (150) for the use of the Senate, and one hundred (100) to be deposited with the Secretary of State for distribution.

No. IX.—*Senate Joint Resolution in relation to the preservation of fish in the Truckee River, and for other purposes.*

[Passed January 22, 1875.]

Protection
of fish, etc.

WHEREAS, The protection of fish in the lakes and streams of our country is a proper subject for legislation; and, whereas, a subject of importance to many citizens of this State, and well worthy the consideration of the Legislature, is the preservation of the fisheries of the Truckee River, and unless preventive measures are soon adopted and rigidly enforced their certain destruction is imminent; and, whereas, the principal cause operating to that undesirable end is the discharge of sawdust into the river from the sawmills which line its banks in the State of California; and, whereas, the wrong has been the subject of a memorial addressed to the Legislature of California, by our predecessors, respectfully invoking that State to repress the evil; and, whereas, in this most reasonable request no action was taken; and, whereas, the Federal Government has an interest in common with the people of this State, in the matter above referred to, an Indian Reservation having been established at Pyramid Lake, and

to the Indians residing thereon these fisheries are a valuable source of food, employment, and profit; and, whereas, another evil of almost equally injurious consequences, arising from the same cause, is the damage to arable lands along the banks of the river; sawdust being mixed with the water, no system of irrigation has or can be devised wherein it can be kept off the lands; and, whereas, the State of Nevada has no power to abate such nuisances when committed beyond her boundaries, her redress must be had through the Congress of the United States; therefore,

Arable
lands,
injury to by
sawdust,
etc.

Resolved, by the Senate, the Assembly concurring, That our Senators in Congress be instructed, and our Representative requested, to use all honorable means to the end that such legislation be had by our National Government that the wrongs above complained of may be speedily abated; and in view of the fact that the annual spawning and irrigating season will begin within the coming month of March, action taken thereon before the adjournment of the present Congress will be gratefully acknowledged and appreciated by the people of this State.

Instruc-
tion to
Represent-
atives.

Resolved, That his Excellency the Governor be requested to speedily transmit a copy of the foregoing to each of our Senators and Representative in Congress.

Governor
to transmit
copies.

No. X.—*Senate Concurrent Resolution, relative to printing Report of Surveyor General and State Register.*

[Passed January 25, 1875.]

Resolved, by the Senate, the Assembly concurring, That fifty hundred copies of the Biennial Report of the Surveyor General and State Land Register be printed; fifty copies thereof to be delivered to the State Librarian; three hundred and fifty copies for the members of the Senate; seven hundred copies for members of the Assembly, and four hundred to be delivered to the Surveyor General, for distribution and supplying exchanges.

Surveyor
General
and State
Register,
printing,
report of,
etc.

No. XI.—*Senate Concurrent Resolution, approving the course of the President of the United States in relation to the difficulties in Louisiana.*

[Passed January 26, 1875.]

WHEREAS, General De Trobriand, an officer of the United States Army, did, at the request of the Democratic members of the

Louisiana
Legisla-
ture,
military
interfer-
ence with
organiza-
tion of.

Legislature of the State of Louisiana and of the Governor of said State, interfere with [the] organization of the Legislature of said State; and, whereas, it appears that said interference was for the purpose of preventing bloodshed, preserving the public peace, and to aid in the maintenance and execution of the laws;

Disap-
proval of
interfer-
ence of
military.

Resolved, That the Legislature of Nevada does not approve of the interference of the military with the civil power of the Government, except in cases provided for in the Constitution or laws of the United States, but that said officer was not guilty of any intentional wrong.

Approval
of course of
President.

Resolved, That we approve the course of the President of the United States in relation to the recent difficulties in Louisiana, and that we have unabated confidence that he will in the future, as he has in the past, execute the laws with moderation and justice in all sections of the Union.

No. XII.—*Senate Concurrent Resolution relative to Report of State Mineralogist.*

[Passed January 26, 1875.]

Relative to
printing
and distri-
bution of
Report of
State
Mineralo-
gist.

Resolved, by the Senate, the Assembly concurring, That three thousand copies of the Report of the State Mineralogist be printed—one hundred copies each for the Centennial Commissioners; fifty copies each for the members of the State Board of Centennial Commissioners, seventeen in number; one hundred copies each to our Representatives in Congress; three hundred copies to the Senate; six hundred copies to the Assembly; four hundred copies to the State Mineralogist; fifty copies to the State Librarian, and three hundred copies to the Secretary of the State for distribution; be it

Copies in
cloth.

Resolved, further, That five hundred copies be bound in cloth, to be distributed pro rata in proportion to the whole; *provided*, that such cloth binding shall not be an additional cost of more than twenty-five cents per copy.

Cost, limit
of.

No. XIII.—*Senate Concurrent Resolution relative to exchange of printed bills.*

[Passed January 27, 1875.]

Relative to
distribu-
tion of
printed
bills.

Resolved, by the Senate, the Assembly concurring, That the Sergeant-at-Arms of the Senate is hereby directed to deliver to the Sergeant-at-Arms of the Assembly, for the use of the Assembly, two thirds of the number of the copies of all bills

printed by order of the Senate; and the Sergeant-at-Arms of the Assembly is hereby directed to deliver to the Sergeant-at-Arms of the Senate, for the use of the Senate, one third of the number of copies of all bills printed by order of the Assembly.

No. XIV.—*Senate Concurrent Resolution relative to printing Majority and Minority Reports of the Regents of the State University.*

[Passed January 28, 1875.]

Resolved, by the Senate, the Assembly concurring, That one thousand copies each of the Majority and Minority Reports of the Regents of the State University be ordered printed—both of said reports to be printed together, in pamphlet form: two hundred and fifty (250) copies for the use of the Senate; five hundred (500) for the use of the Assembly; twenty-five (25) for each member of the Board of Regents; fifty (50) for the State Library; fifty (50) for the Superintendent of Public Instruction, and seventy-five (75) to be left with the Secretary of State for the use of the succeeding Legislature.

Printing and distribution of Report of Regents of State University.

No. XV.—*Senate Concurrent Resolution relative to the election of a Board of Regents.*

[Passed January 29, 1875.]

Resolved, by the Senate, the Assembly concurring, That the two Houses meet, in Joint Convention, in the Assembly Chamber, on February fourth, at seven o'clock P. M., for the purpose of electing a Board of Regents.

Joint Convention to elect Board of Regents.

No. XVI.—*Senate Concurrent Resolution, granting leave of absence to James A. Service, Recorder of Nye County.*

[Passed January 29, 1875.]

Resolved, by the Senate, the Assembly concurring, That James A. Service, County Recorder of Nye County, be and he is hereby granted leave of absence from this State for the period of six months, at such time as he may select, during his present term of office; *provided*, that he leaves a competent deputy to perform the duties of his office, as required by law.

J. A. Service, County Recorder of Nye County, granted leave of absence.

No. XVII.—*Senate Concurrent Resolution, relative to printing Exhibit of Secretary of State.*

[Passed February 2, 1875.]

Printing
exhibit of
expendi-
tures of
appropria-
tions.

Resolved, by the Senate, the Assembly concurring, That two hundred and forty copies of the Exhibit of the Secretary of State, showing the manner in which appropriations for the office of Secretary of State for the ninth and tenth fiscal years have been expended, be printed for the use of the Senate and Assembly.

No. XVIII.—*Senate Concurrent Resolution, relative to distribution of Report of the Warden of the State Prison.*

[Passed February 4, 1875.]

Distribu-
tion of
copies of
Report of
Warden of
State
Prison.

Resolved, by the Senate, the Assembly concurring, That the seven hundred and fifty (750) copies of the Report of the Warden of the State Prison be distributed as follows: One hundred and fifty copies for the use of the Senate; three hundred copies for the use of the Assembly; one hundred copies for distribution by the Secretary of State; and two hundred copies for the use of the Warden of the State Prison.

No. XIX.—*Senate Concurrent Resolution, granting leave of absence to P. B. Miller, Clerk of Lincoln County.*

[Passed February 8, 1875.]

P. B.
Miller,
County
Clerk of
Lincoln
County,
granted
leave of
absence.

Resolved, by the Senate, the Assembly concurring, That P. B. Miller, County Clerk of Lincoln County, is hereby granted leave of absence from the State for the term of six months, at any time he may designate during his term of office; *provided*, he appoints a suitable deputy to serve in his stead during his absence.

No. XX.—*Senate Concurrent Resolution, granting leave of absence to Andrew Fife, Sheriff of Lincoln County.*

[Passed February 8, 1875.]

Andrew
Fife,
Sheriff of
Lincoln
County,
granted
leave of
absence.

Resolved, by the Senate, the Assembly concurring, That Andrew Fife, Sheriff of Lincoln County, be, and he is hereby, granted leave of absence from the State for the term of six

months, at such time as he may designate during his term of office; *provided*, he procure a competent deputy to discharge the duties of his office during his absence.

No. XXI.—*Senate Concurrent Resolution granting leave of absence to M. P. Freeman, Treasurer of Elko County.*

[Passed February 15, 1875.]

Resolved, by the Senate, the Assembly concurring, That M. P. M. P. Freeman, Treasurer of Elko County, be, and he is hereby, County granted leave of absence from the State, for the term of six Treasurer of Elko months, at any time during his present term of office that he County, may select; *provided*, that he shall leave a competent and re- granted leave of sponsible deputy to discharge the duties of said office during absence. his absence.

No. XXII.—*Senate Concurrent Resolution granting leave of absence to Wm. T. Hanford, Clerk of White Pine County.*

[Passed February 17, 1875.]

Resolved, by the Senate, the Assembly concurring, That Wm. Wm. T. Hanford, County Clerk of White Pine County, be, and he is hereby, granted leave of absence for the period of six months, County Clerk of White Pine at any time during his term of office after April first, eighteen County, granted leave of hundred and seventy-five; *provided*, he shall have a deputy com- absence. petent faithfully to discharge the duties of said office of County Clerk during said period.

No. XXIII.—*Senate Concurrent Resolution granting leave of absence to John S. Shoemaker, County Clerk of Washoe County.*

[Passed February 19, 1875.]

Resolved, by the Senate, the Assembly concurring, That John J. S. Shoemaker, County Clerk of Washoe County, be, and he is hereby, granted leave of absence from this State, for the period Clerk of Washoe County, granted leave of six months, at such time as he may select during his present term of office; *provided*, that he leaves a competent deputy to perform the duties of his office, as required by law. absence.

No. XXIV.—*Memorial to Congress in relation to the United States Mint at Carson City, Nevada.*

[Passed February 19, 1875.]

The People of the State of Nevada, represented in Senate and Assembly, do memorialize the Congress of the United States as follows:

- | | |
|------------------------------|---|
| U. S. Mint, enlargement of. | Your memorialists, grateful for the convenience and accommodation afforded to them by the establishment of a Mint in Carson City, in their young State, most respectfully show: |
| Product of bullion. | First—That the annual product of gold and silver bullion in Nevada is over thirty millions (\$30,000,000) of dollars, and that there is every just reason to believe it will greatly exceed that amount in the immediate future and for a period of very many years; probably, generations. |
| Same. | Second—That about fifteen millions (\$15,000,000) of dollars of like bullion is produced annually in adjacent States and Territories, which can be more readily and cheaply transported to said Mint than to any other. |
| Capacity of Mint. | Third—That the present capacity of said Mint admits only the coinage of three millions and six hundred thousand (\$3,600,000) dollars in gold, and two millions and four hundred thousand (\$2,400,000) dollars in silver, per annum, or twenty (20) per centum only of the actual annual product of bullion in Nevada alone for the last two (2) years. |
| Silver coinage. | Fourth—That as regards the coinage of silver, only trade dollars are now made at said Mint, whereby producers of silver bullion are deprived of the convenience of silver coins of smaller denominations in the payment of their current expenses and in the making of their domestic purchases, in both of which cases they could readily and with profit contract to and pay in silver coins of various values, if to be had; hence the urgent necessity and expediency of said Mint being permitted and required to coin silver bullion in denominations to suit producers and depositors. |
| Reduction on silver coinage. | Fifth—That in view of and as a means of hastening the much-desired return of the whole country to specie payment, as well as to deal fairly with the producer of silver bullion, as with the producer of gold, charges for the coinage of silver should be removed, and as great reduction as possible be made in the charges for melting, toughening, and refining, and a remission of deduction at or after melting. |
| Hastening specie payment. | Sixth—That these removals, remissions, and deductions, together with the coinage of silver in such denominations as would suit producers and depositors, would not only signally accommodate them and cause them a great saving, by having a domestic market and quick returns for their bullion, but would also materially aid in mining development and the production of the precious metals, as well as cause the rapid increase of metallic currency, gradually, yet not injuriously, finding its way to all parts of our country, thereby appreciating the value |

of paper currency, and preparing the means of and hastening specie payment.

Seventh—That the present internal arrangement of said Mint is to some extent injurious to the health of those therein employed.

Internal
arrange-
ment of
Mint.

Eighth—That your memorialists are informed and believe, that some of the employes of said Mint are not paid as much for their services as like employes of other Mints are for similar services.

Payment of
employes.

Ninth—That your memorialists believe, from estimates of competent parties, that the expenditure of about two hundred thousand (\$200,000) dollars upon said Mint, by way of alteration and enlargement of the building and arrangement of its machinery, would treble its capacity for coinage and obviate its existing unhealthfulness.

Enlarge-
ment of
Mint.

Your memorialists, therefore, do hereby most respectfully and earnestly urge such action on your part as will bring about most speedily the above stated desirable results; and, as in duty bound, they will ever pray.

Action of
Congress
urged.

No. XXV.—*Concurrent Resolution in relation to telegraphing memorial to Congress in respect to the United States Mint at Carson City.*

[Passed February 26, 1875.]

Resolved, by the Senate, the Assembly concurring, That his Excellency the Governor be, and he is hereby, requested to telegraph to the Congress of the United States, immediately, at the expense of the State, the memorial to Congress in relation to the United States Mint at Carson City, Nevada, passed by the Legislature of Nevada on the nineteenth day of February, A. D. eighteen hundred and seventy-five.

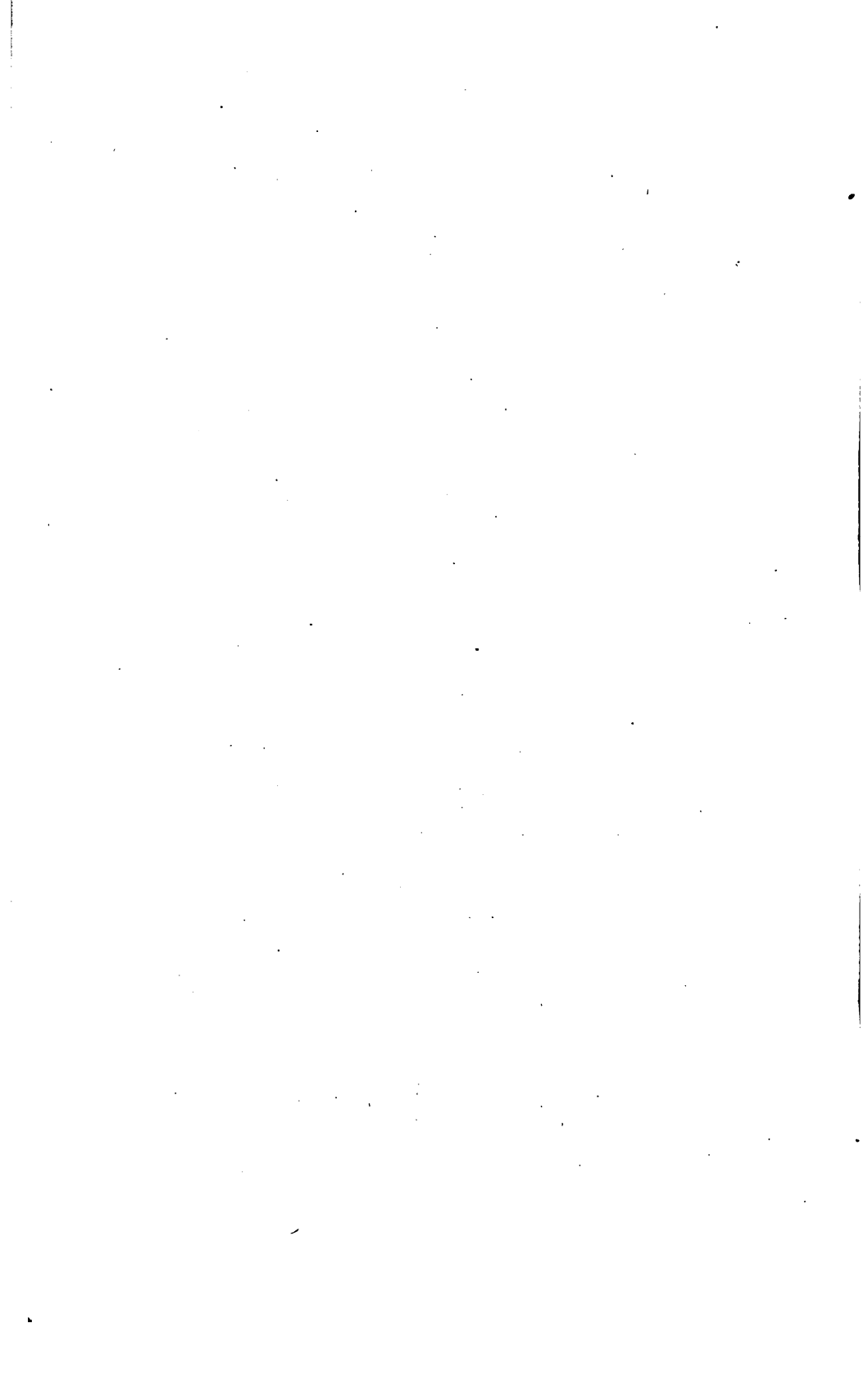
Relative to
telegraph-
ing U. S.
Mint
memorial.

No. XXVI.—*Concurrent Resolution relative to printing reports of the special committee empowered to investigate the affairs of the new State Prison, and the evidence elicited before said committee.*

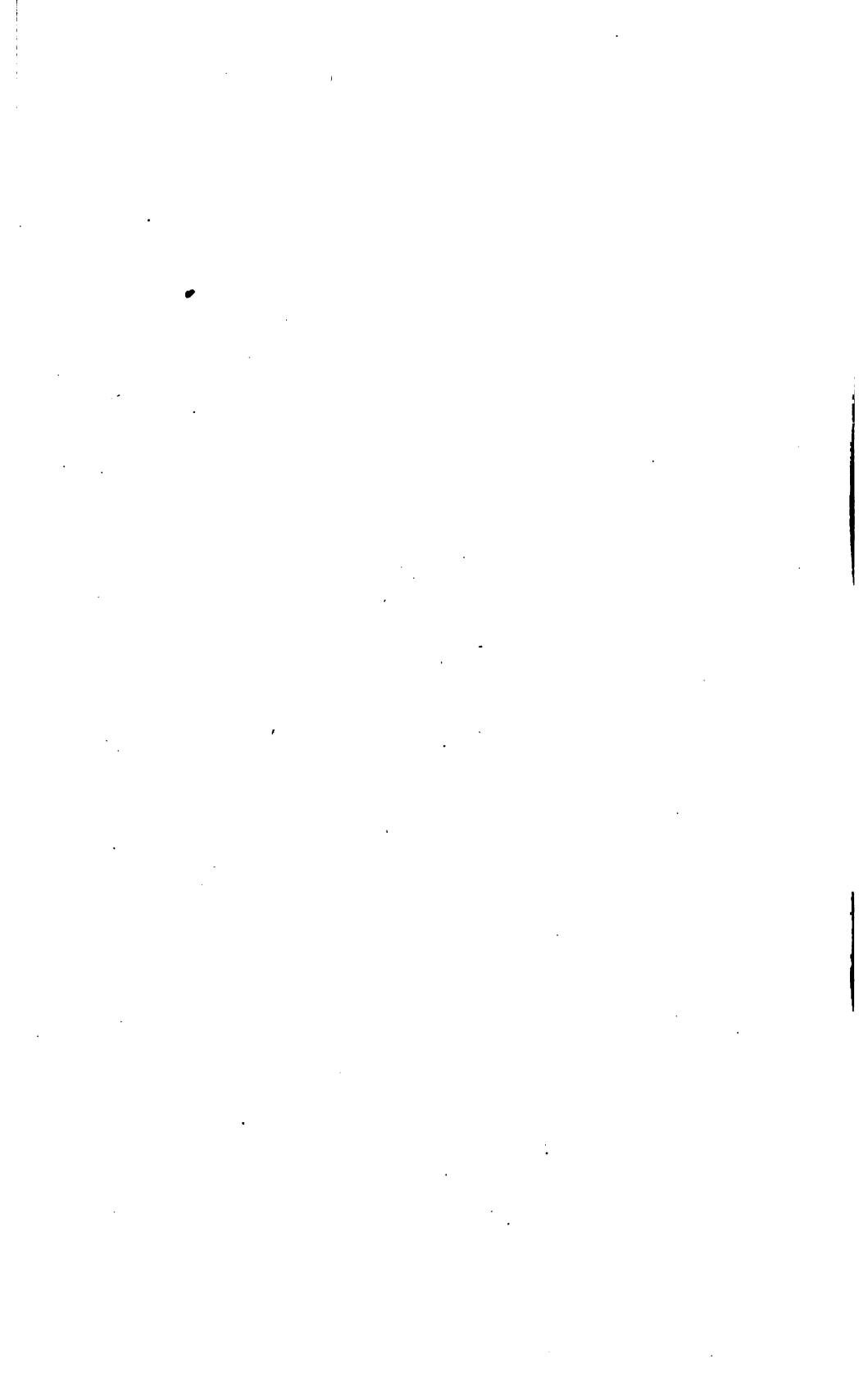
[Passed March 1, 1875.]

Resolved, by the Senate, the Assembly concurring, That two hundred and forty copies of the majority and minority reports of the special committee, appointed to investigate State Prison affairs connected with the new State Prison at Reno, together with the evidence elicited before said committee, be printed, for the use of the Senate and Assembly.

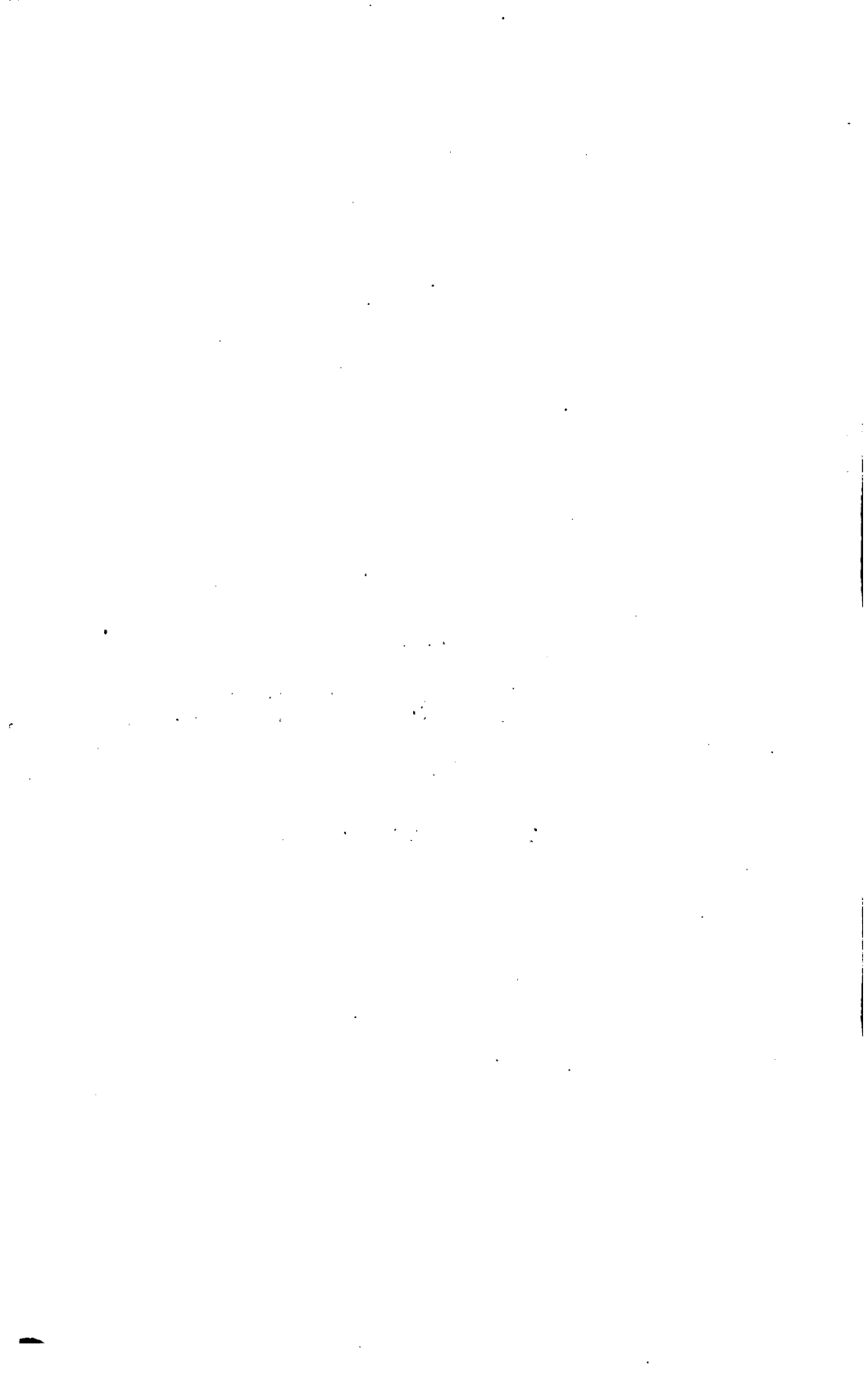
Relative to
printing
Reports of
Committee
on new
State
Prison.



REPORTS
OF THE
STATE TREASURER
OF THE
STATE OF NEVADA,
FOR THE
NINTH AND TENTH FISCAL YEARS, 1873 AND 1874.
JERRY SCHOOLING, TREASURER.



ANNUAL REPORT OF THE STATE TREASURER
TO THE
GOVERNOR OF THE STATE OF NEVADA,
FOR
THE YEAR 1873.



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REPORT OF STATE TREASURER.

TREASURY DEPARTMENT OF THE STATE OF NEVADA, }
CARSON, December 31st, 1873. }

To His Excellency,

L. R. BRADLEY,

Governor of the State of Nevada:

SIR: In obedience with the requirements of law, I have the honor to herewith submit my annual report of the receipts and disbursements, with such other information as may be necessary for a full and complete understanding of the transactions of this department, for the fiscal year ending December thirty-first, eighteen hundred and seventy-three.

Respectfully submitted.

JERRY SCHOOLING,
State Treasurer.

STATEMENT

Showing balance December 31st, 1872, and its apportionment.

[A]

	Coin.	Currency.
Balance on hand December 31st, as shown by my report for 1872.....	\$236,555 49	\$3,625 27
<i>Apportioned as follows:</i>		
To the General Fund.....	\$138,102 29	\$800 00
To the State School Fund.....	287 40	1,168 57
To the General School Fund.....	16,521 18
To the State Interest and Sinking Fund, 1871-2.....	39,392 57
To the Territorial Interest and Sinking Fund, 1872.....	28,137 26
To the State Library Fund.....	3,256 37
To the State Capitol Fund.....	4,811 45
To the Judicial Salary Fund.....	5,078 69
To the Soldiers' Fund.....	963 28
To the Legislative Fund, 1871.....	5 00
To the Special Land Fund.....	1,656 70
Totals.....	\$236,555 49	\$3,625 27

[B] STATEMENT

Showing the outstanding registered warrants December 31st, 1872; also, the funds upon which such warrants were drawn, and years of registration.

UPON WHAT FUND DRAWN.	Years of registration.	Coin.	Currency.
Upon the Soldiers' Fund.....	1865-6-7	\$953 10	\$2 00
Upon the General Fund.....	1866	111 75	11 31
Upon the State Prison Fund.....	1869	17 25
Upon the State Prison Fund.....	1870	12 00
Upon the General Fund.....	1871	18 00
Upon the State Prison Fund.....	1871	71 16
Upon the State Legislative Fund, 1871.....	1871	5 00
Upon the State Orphan Home Fund.....	1871	2 50
Upon the State Capitol Fund.....	1871	24,071 82
Upon the General Fund.....	1872	11,015 75
Upon the State Prison Fund.....	1872	4,094 50
Upon the State Orphan Home Fund.....	1872	21 62
Upon the Indigent Insane Fund.....	1872	1,886 69
Upon the Virginia Orphan Asylum Fund.....	1872	200 00
Upon the State School Fund.....	1872	3,292 94
Upon the State Library Fund.....	1872	25 00
Upon the Judicial Salary Fund.....	1872	5,078 69
Totals.....	\$50,877 17	\$13 31

STATEMENT

[C]

Showing total funded debt of the State; also, date of issuance of bonds, date redeemable, rate of interest, and date of payment.

NEVADA STATE BONDS.	Date redeemable.	Rate of interest.	Date of payment of interest.	Amount of bonds. Coin.
State bonds issued April 1st, 1871 (outstanding).....	April 1st, 1881...	10 per cent. per annum...	April 1st, October 1st.....	\$142,000 00
State bonds issued April 1st, 1871 (held as securities for State School Fund).....	April 1st, 1881...	10 per cent. per annum...	April 1st, October 1st.....	18,000 00
State bonds issued March 1st, 1872 (outstanding).....	March 1st, 1882..	9½ per cent. per annum...	March 1st, September 1st.	34,000 00
State bonds issued March 1st, 1872 (held as securities for State School Fund).....	March 1st, 1882..	9½ per cent. per annum...	March 1st, September 1st.	86,000 00
State bonds issued March 1st, 1872 (on account of Territorial debt).....	March 1st, 1887..	9½ per cent. per annum...	March 1st, September 1st.	380,000 00
				<u>\$660,000 00</u>

STATEMENT

Showing liabilities and assets; also, net indebtedness December 31st, 1872.

	Coin.	Currency.	Grand total.
<i>Liabilities.</i>			
State bonds issued April 1st, 1871, redeemable in ten years	\$160,000 00
Accrued interest on the same.....	4,000 00
State bonds issued March 1st, 1872, redeemable in ten years.....	120,000 00
Accrued interest on the same.....	3,799 99
State bonds issued March 1st, 1872 (for Territorial debt), redeemable in fifteen years.....	380,000 00
Accrued interest on the same.....	12,033 33
State warrants (outstanding).....	50,877 17	\$13 31
			\$730,723 80
<i>Assets.</i>			
State bonds issued April 1st, 1871, purchased and belonging to the State School Fund.....	\$18,000 00
Accrued interest on the same.....	450 00
State bonds issued March 1st, 1872, redeemable in ten years, belonging to the State School Fund.....	86,000 00
Accrued interest on the same	2,723 32
Cash on hand in the different funds.....	236,555 49	\$3,625 27
			347,354 09
Net indebtedness December 31st, 1872			\$383,369 71

[E] STATEMENT

Showing balance January 1st, 1873; receipts and disbursements for the year; balance December 31st, 1873; also, apportionment to the different funds.

	Coin.	Currency.
Balance January 1st, 1873, as appears from my report December 31st, 1872.....	\$236,555 49	\$3,625 27
Total receipts for 1873.....	529,062 45	226,507 44
Deduct coin paid for currency.....	\$765,617 94	\$230,132 71
	1 80
Add currency bought.....	\$765,616 14	\$230,132 71
	2 00
Deduct currency sold during the year.....	\$765,616 14	\$230,134 71
	193,452 54
Add receipts from sale of currency	\$765,616 14	\$36,682 17
	173,291 52
Deduct disbursements for the year.....	\$938,907 66	\$36,682 17
	444,325 43	9,202 51
Balance December 31st, 1873	\$494,582 23	\$27,479 66

Apportioned as follows:

To the General Fund	\$160,354 49	\$3,813 70
To the State School Fund	166,610 25
To the General School Fund	20,961 59
To the State Interest and Sinking Fund, 1871-2	66,309 61
To the Territorial Interest and Sinking Fund, 1872	48,200 19
To the State Capitol Fund	27,187 38
To the State Library Fund	4,275 34
To the State Prison Fund	670 00
To the Soldiers' Fund	8 38
To the Legislative Fund, 1871	5 00
To the Special Land Fund	1,782 70
To the State University Fund	14,241 52
To the State University Fund (90,000-acre grant)	7,641 74
Totals	\$404,582 23	\$27,479 66

[F]

STATEMENT

Showing the disbursements from the different funds, total receipts, and balance on hand at the beginning and close of the year.

GENERAL REVENUE ACCOUNT.

Dr.

	Coin.	Currency.
To warrants paid from General Fund.....	\$139,157 75	\$800 00
To warrants paid from State School Fund.....	11,320 54	7,690 51
To warrants paid from General School Fund	25,669 90
To warrants paid from State Interest and Sinking Fund, 1871-2.	29,789 68
To warrants paid from Territorial Interest and Sinking Fund, 1872	36,609 56
To warrants paid from State Capitol Fund	23,944 56
To warrants paid from State Prison Fund	39,286 69
To warrants paid from Judicial Salary Fund	26,078 69
To warrants paid from Indigent Insane Fund.....	21,457 33
To warrants paid from State Library Fund.....	1,749 48
To warrants paid from State Orphan Home Fund	9,184 34
To warrants paid from State Legislative Fund, 1873.....	67,983 20
To warrants paid from Senate Contingent Fund	5,320 57
To warrants paid from Assembly Contingent Fund.....	5,973 14
To warrants paid from Nevada Orphan Asylum Fund.....	800 00
To warrants paid from Soldiers' Fund.....	2 00
To warrants paid from State University Fund.....	630 00
To warrants paid from State University Fund (90,000-acre grant)	80 00
To coin paid for currency during the year.....	1 80
To currency sold during the year.....	193,452 54
To balance on hand December 31st, 1873	494,582 23	27,479 66
Totals.....	\$938,909 46	\$230,134 71

STATEMENT

[F]

Showing the disbursements from the different funds, total receipts, and balance on hand at the beginning and close of the year.

GENERAL REVENUE ACCOUNT.

Cr.

	Coin.	Currency.
By balance on hand January 1st, 1873.....	\$236,555 49	\$3,625 27
By receipts from County Treasurers on June, 1873, settlement..	114,572 56
By receipts from County Treasurers on December, 1873, settlement.....	396,260 10
By receipts from interest on State school bonds.....	9,970 00
By receipts from fees in office of Secretary of State.....	2,193 45
By receipts from sale of State stamps.....	2,274 04
By receipts from State Prison.....	2,287 00
By receipts from sale of attorneys' licenses.....	600 00
By receipts from Devil's Gate toll road.....	502 23
By receipts from Supreme Court docket tax.....	290 00
By receipts from delinquent stamp tax.....	133 07
By receipts from special deposits on land till March, 1873.....	163,652 04
By receipts from conditional land sales in favor of State School Fund.....	30,681 60
By receipts from land sales on application in favor of State School Fund.....	7,841 30
By receipts from land sales on contract in favor of State School Fund.....	1,613 24
By receipts from conditional land sales in favor of State University Fund.....	14,713 49
By receipts from land sales on application in favor of State University Fund.....	158 03
By receipts from conditional land sales in favor of State University Fund (90,000-acre grant).....	7,721 74
By receipts from one per cent. on sale of State bonds.....	126 00
By currency purchased during the year.....	2 00
By receipts from sale of currency during the year.....	173,291 52
Totals.....	\$938,909 46	\$230,134 71
By balance on hand December 31st, 1873.....	\$494,582 23	\$27,479 66

STATEMENT

[G] *Showing outstanding warrants January 1st, 1873; warrants drawn, registered, paid, canceled, and returned during the year; also, warrants outstanding December 31st, 1873.*

GENERAL WARRANT ACCOUNT—COIN.

FUNDS.	Warrants outstanding January 1st, 1873.	Warrants drawn and registered during the year.	Warrants paid and returned to the Controller during the year.	Warrants canceled by legislative Act of the year 1873.	Warrants outstanding December 31st, 1873.
General Fund, warrant account.....	\$11,145 50	\$128,672 48	\$139,157 75	\$111 75	\$548 48
State School Fund, warrant account.....	3,292 94	8,027 60	11,320 54
General School Fund, warrant account.....	25,669 90	25,669 90
State Interest and Sinking Fund, 1871-2, warrant account.....	29,789 68	29,789 68
Territorial Interest and Sinking Fund, 1872, warrant account.....	36,609 56	36,609 56
State Capitol Fund, warrant account.....	24,071 82	23,944 56	127 26
State Prison Fund, warrant account.....	4,194 91	35,803 50	39,286 69	29 25	182 47
State Orphan Home Fund, warrant account.....	23 52	9,224 51	9,184 34	63 69
State Library Fund, warrant account.....	25 00	1,749 48	1,749 48	25 00
State Legislative Fund, 1871, warrant account.....	5 00	5 00
State Indigent Insane Fund, warrant account.....	1,886 69	19,570 64	21,457 33
Judicial Salary Fund, warrant account.....	5,078 69	21,000 00	26,078 69
Soldiers' Fund, warrant account.....	953 10	953 10

Nevada Orphan Asylum Fund, warrant account.....	200 00	600 00	800 00
State Building Fund, warrant account.....	110 00	110 00
State Legislative Fund, 1873, warrant account.....	68,088 20	67,983 20	105 00
State Contingent Fund, 1873, warrant account.....	5,320 57	5,320 57
Assembly Contingent Fund, 1873, warrant account.....	5,973 14	5,973 14
Totals.....	\$50,877 17	\$396,209 26	\$444,325 43	\$1,224 10	\$1,536 90

[G]

STATEMENT

Showing outstanding warrants January 1st, 1873; warrants drawn, registered, paid, canceled, and returned during the year; also, warrants outstanding December 31st, 1873.

GENERAL WARRANT ACCOUNT—CURRENCY.

Funds.	Warrants out- standing Janu- ary 1st, 1873.	Warrants drawn and registered during the year.	Warrants paid and returned to the Controller dur- ing the year.	Warrants can- celed by leg- islative Act of the year 1873.	Warrants out- standing De- cember 31st, 1873.
General Fund, warrant account.....	\$11 31	\$800 00	\$800 00	\$11 31
Soldiers' Fund, warrant account.....	2 00	2 00
State School Fund, warrant account.....	7,730 51	7,690 51	\$40 00
State University Fund, warrant account.....	630 00	630 00
State University Fund (90,000-acre grant) warrant account.....	80 00	80 00
Totals.....	\$13 31	\$9,240 51	\$9,202 51	\$11 31	\$40 00

STATEMENT

[H]

Showing the outstanding registered warrants December 31st, 1873; also, showing the years of registration.

UPON WHAT FUND DRAWN.	Years of registration.	Coin.	Currency.
Upon State Prison Fund.....	1871	\$62 66
Upon State Legislative Fund, 1871.....	1871	5 00
Upon State Capitol Fund.....	1871	127 66
Upon State Prison Fund.....	1872	46 66
Upon State Orphan Home Fund.....	1872	7 00
Upon General Fund.....	1873	548 48
Upon State School Fund.....	1873	\$40 00
Upon State Prison Fund....	1873	573 15
Upon State Orphan Home Fund.....	1873	56 69
Upon State Building Fund.....	1873	110 00
Totals.....	\$1,536 90	\$40 00

STATEMENT

Showing receipts for the year 1873.

[1]

FOR WHAT RECEIVED.		Coin.	Currency.
Final settlement of Treasurer of White Pine County, January, 1873.....		\$1,079 87
Semi-annual settlement of Treasurer of Lyon County, June, 1873.....		1,244 87
Semi-annual settlement of Treasurer of Humboldt County, June, 1873.....		1,466 34
Semi-annual settlement of Treasurer of Ormsby County, June, 1873.....		2,775 38
Semi-annual settlement of Treasurer of Esmeralda County, June, 1873.....		1,060 57
Semi-annual settlement of Treasurer of Washoe County, June, 1873.....		2,110 78
Semi-annual settlement of Treasurer of Storey County for June, 1873.....		75,030 57
Semi-annual settlement of Treasurer of Lander County for June, 1873.....		5,547 75
Semi-annual settlement of Treasurer of Douglas County for June, 1873.....		124 57
Semi-annual settlement of Treasurer of White Pine County for June, 1873.....		497 29
Semi-annual settlement of Treasurer of Elko County for June, 1873.....		2,479 98
Semi-annual settlement of Treasurer of Churchill County for June, 1873.....		83
Semi-annual settlement of Treasurer of Nye County for June, 1873.....		2,769 80
Semi-annual settlement of Treasurer of Lincoln County for June, 1873.....		16,685 10
Semi-annual settlement of Treasurer of Eureka County for June, 1873.....		1,698 86
Semi-annual settlement of Treasurer of Lyon County for December, 1873.....		17,387 44
Semi-annual settlement of Treasurer of Elko County for December, 1873.....		33,399 97
Semi-annual settlement of Treasurer of Storey County for December, 1873.....		134,270 89
Semi-annual settlement of Treasurer of Douglas County for December, 1873.....		10,582 37
Semi-annual settlement of Treasurer of Esmeralda County for December, 1873.....		7,661 47

Semi-annual settlement of Treasurer of Humboldt County for December, 1873.....	28,098 41
Semi-annual settlement of Treasurer of White Pine County for December, 1873.....	13,864 32
Semi-annual settlement of Treasurer of Lander County for December, 1873.....	21,291 27
Semi-annual settlement of Treasurer of Lincoln County for December, 1873.....	28,059 24
Semi-annual settlement of Treasurer of Washoe County for December, 1873.....	26,969 87
Semi-annual settlement of Treasurer of Nye County for December, 1873.....	19,360 40
Semi-annual settlement of Treasurer of Ormsby County for December, 1873.....	23,726 63
Semi-annual settlement of Treasurer of Eureka County for December, 1873.....	26,878 61
Semi-annual settlement of Treasurer of Churchill County for December, 1873.....	4,709 21
Interest on State bonds belonging to the State School Fund.....	9,970 00
Fees of office of Secretary of State.....	2,193 45
Sale of State stamps.....	2,274 04
Material and labor furnished by State Prison.....	2,267 00
Sale of attorney license.....	600 00
Tax on receipts of toll on Devil's Gate Toll Road.....	502 23
Supreme Court docket tax.....	290 00
Delinquent stamp tax.....	133 07
Special deposits on conditional land sales up to March 5th, 1873.....	\$163,652 04
Conditional land sales subsequent to March 5th, 1873, in favor of State School Fund.....	30,681 60
Land sales on application in favor of State School Fund.....	7,841 30
Land sales on contract in favor of State School Fund.....	1,013 24
Conditional land sales in favor of State University Fund.....	14,713 49
Land sales on application in favor of State University Fund.....	158 03
Conditional land sales in favor of State University Fund (90,000-acre grant).....	7,721 74
One per cent. on sales of State lands under land law 1871.....	126 00
Total receipts.....	\$529,062 45	\$226,507 44

[J] STATEMENT

Showing disbursements for the year 1873.

DISBURSEMENTS.		Coin.	Currency.
<i>From General Fund.</i>			
On account of salary of Governor.....	\$7,500 00		
On account of salary of Governor's Private Secretary.....	2,600 00	\$10,100 00	
On account of salary of Lieutenant Governor.....	\$4,000 00	4,000 00	
On account of salary of Secretary of State.....	4,500 00		
On account of salary of Deputy Secretary of State.....	3,250 00		
On account of extra clerical hire.....	2,302 15		
On account of salary of Librarian.....	1,950 00		
On account of salary of State Controller.....	\$4,500 00	12,002 15	
On account of salary of Deputy State Controller.....	3,250 00		
On account of extra clerical hire.....	860 00		
On account of salary of State Treasurer.....	\$4,500 00	8,610 00	
On account of salary of Deputy State Treasurer.....	3,121 42		
On account of extra clerical hire.....	615 00		
On account of salary of Surveyor General.....	\$4,500 00	8,236 42	
		4,500 00	

On account of salary of State Mineralogist.....	4,500 00		
On account of traveling expenses.....	1,576 25	6,076 25	
On account of salary of Attorney General.....	3,077 15		
On account of salary of President of Board of Library Directors.....	1,000 00	4,077 15	
On account of salary of Superintendent of Public Instruction.....	2,500 00		
On account of traveling expenses of office.....	467 50	2,967 50	
On account of State Printing.....		31,186 17	
On account of fees and legal services in State cases.....		155 00	
On account of care of deaf, dumb, and blind.....		782 00	
On account of insurance on capitol building.....		1,651 00	
On account of improvement of Orphan Home grounds.....		724 46	
On account of nightwatch and portorage for Capitol.....		3,094 00	
On account of care and preservation of Capitol building.....		1,265 00	
On account of compilation of State laws.....		6,000 00	
On account of salary paid Britton & Gray, attorneys at Washington.....		172 21	
On account of publishing Volume VIII Nevada Reports.....		4,500 00	
On account of deficiency claims of 1872.....		6,109 79	
On account of reliefs granted by Legislature of 1873.....		10,439 00	
On account of stationery, fuel, and lights for Capitol.....		4,956 30	
On account of miscellaneous expenditures.....		7,553 35	
On account of cancellation of old vouchers.....		\$800 00
On account of State bonds purchased.....	2,640 00		
On account of salary of Deputy Land Register.....	3,694 39		
On account of extra clerical hire for Land Office.....	3,624 10		
Carried forward.....		\$139,157 75	\$800 00

From State School Fund.

DISBURSEMENTS—Continued.

[J]

DISBURSEMENTS.		Coin.	Currency.
Brought forward.....	\$139,157 75	\$800 00
On account of incidental expenses in Land Office.....	\$1,362 05	11,320 54	
On account of refunding to conditional purchasers of State land.....	7,690 51
<i>From General School Fund.</i>			
On account of apportionment of school moneys for January.....	16,521 18		
On account of apportionment of school moneys for July.....	9,148 72	25,669 90	
<i>From State Interest and Sinking Fund, 1871-2.</i>			
On account of interest on State bonds of 1871-2.....	29,400 00		
On account of exchange paid on interest on State bonds of 1871-2.....	389 68	29,789 68	
<i>From Territorial Interest and Sinking Fund, 1872.</i>			
On account of interest on Territorial bonds of 1872.....	36,100 00		
On account of exchange paid on interest on State bonds of 1872.....	509 56	36,609 56	
<i>On State Capitol Fund.</i>			
On account of Capitol building expenses.....	23,944 56	23,944 56	

<i>From State Prison Fund.</i>			
On account of salary of Warden.....	\$3,000 00		
On account of salary of Deputy Warden.....	1,570 00		
On account of guard service.....	9,783 66		
On account of capture of escaped convicts.....	1,274 50		
On account of supplies furnished.....	15,616 41		
On account of materials furnished prison shops.....	2,474 01		
On account of general expenses.....	5,568 11	39,286 69	
<i>From Judicial Salary Fund.</i>			
On account of salary of Supreme Judges.....	\$26,078 69	26,078 69	
<i>From Indigent Insane Fund.</i>			
On account of care of indigent insane.....	21,457 33	21,457 33	
<i>From State Library Fund.</i>			
On account of purchase of books for State Library.....	1,749 48	1,749 48	
<i>From State Orphan Home Fund.</i>			
On account of employes of Home.....	3,615 00		
On account of supplies and general expenses for Home.....	5,569 34	9,184 34	
<i>From Nevada Orphan Asylum Fund.</i>			
On account of care of orphans at Virginia City.....	800 00	800 00	
Carried forward.....	\$365,048 52	\$8,490 51

DISBURSEMENTS—Continued.

[J]

DISBURSEMENTS.		Coin.	Currency.
Brought forward.....	\$365,048 52	\$8,490 51
<i>From Legislative Fund, 1873.</i>			
On account of per diem of members of the Senate.....	\$12,120 00		
On account of per diem of members of the Assembly.....	23,104 00		
On account of mileage of members of the Senate.....	3,724 80		
On account of mileage of members of the Assembly.....	7,544 40		
On account of per diem of attachés of the Senate.....	5,986 00		
On account of per diem of attachés of the Assembly.....	6,310 00		
On account of per diem of committee clerks of the Senate.....	3,186 00		
On account of per diem of committee clerks of the Assembly.....	1,628 00		
On account of stationery for Senate and Assembly.....	4,380 00	67,983 20	
<i>From Senate Contingent Fund.</i>			
On account of contingent expenses of Senate.....	\$5,320 57	5,320 57	
<i>From Assembly Contingent Fund.</i>			
On account of contingent expenses of the Assembly.....	5,973 14	5,973 14	

From Soldiers' Fund.

On account of extra pay to Nevada Volunteers.....	\$2 00	\$2 00
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From State University Fund.

On account of refunding to conditional purchasers of State land.....	630 00	630 00
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From State University Fund (90,000-acre grant).

On account of refunding to conditional purchasers of State land.....	80 00	80 00
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Totals.....	\$444,325 43	\$9,202 51
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[G]

STATEMENT

Showing outstanding warrants January 1st, 1873; warrants drawn, registered, paid, canceled, and returned during the year; also, warrants outstanding December 31st, 1873.

GENERAL WARRANT ACCOUNT—CURRENCY.

FUNDS.	Warrants out- standing Janu- ary 1st, 1873.	Warrants drawn and registered during the year.	Warrants paid and returned to the Controller dur- ing the year.	Warrants can- celed by leg- islative Act of the year 1873.	Warrants out- standing De- cember 31st, 1873.
General Fund, warrant account.....	\$11 31	\$800 00	\$800 00	\$11 31
Soldiers' Fund, warrant account.....	2 00	2 00
State School Fund, warrant account.....	7,730 51	7,690 51	\$40 00
State University Fund, warrant account.....	630 00	630 00
State University Fund (90,000-acre grant) warrant account.....	80 00	80 00
Totals.....	\$13 31	\$9,240 51	\$9,202 51	\$11 31	\$40 00

STATEMENT

[H]

Showing the outstanding registered warrants December 31st, 1873; also, showing the years of registration.

UPON WHAT FUND DRAWN.	Years of registration.	Coin.	Currency.
Upon State Prison Fund.....	1871	\$62 66
Upon State Legislative Fund, 1871.....	1871	5 00
Upon State Capitol Fund.....	1871	127 66
Upon State Prison Fund.....	1872	46 66
Upon State Orphan Home Fund.....	1872	7 00
Upon General Fund.....	1873	548 48
Upon State School Fund.....	1873	\$40 00
Upon State Prison Fund....	1873	573 15
Upon State Orphan Home Fund.....	1873	56 69
Upon State Building Fund.....	1873	110 00
Totals.....	\$1,536 90	\$40 00

[I]
STATEMENT
Showing receipts for the year 1873.

FOR WHAT RECEIVED.	Coin.	Currency.
Final settlement of Treasurer of White Pine County, January, 1873.....	\$1,079 87
Semi-annual settlement of Treasurer of Lyon County, June, 1873.....	1,244 87
Semi-annual settlement of Treasurer of Humboldt County, June, 1873.....	1,466 34
Semi-annual settlement of Treasurer of Ormsby County, June, 1873.....	2,775 38
Semi-annual settlement of Treasurer of Esmeralda County, June, 1873.....	1,060 57
Semi-annual settlement of Treasurer of Washoe County, June, 1873.....	2,110 78
Semi-annual settlement of Treasurer of Storey County for June, 1873.....	75,030 57
Semi-annual settlement of Treasurer of Lander County for June, 1873.....	5,547 75
Semi-annual settlement of Treasurer of Douglas County for June, 1873.....	124 57
Semi-annual settlement of Treasurer of White Pine County for June, 1873.....	497 29
Semi-annual settlement of Treasurer of Elko County for June, 1873.....	2,479 98
Semi-annual settlement of Treasurer of Churchill County for June, 1873.....	83
Semi-annual settlement of Treasurer of Nye County for June, 1873.....	2,769 80
Semi-annual settlement of Treasurer of Lincoln County for June, 1873.....	16,685 10
Semi-annual settlement of Treasurer of Eureka County for June, 1873.....	1,698 86
Semi-annual settlement of Treasurer of Lyon County for December, 1873.....	17,387 44
Semi-annual settlement of Treasurer of Elko County for December, 1873.....	33,399 97
Semi-annual settlement of Treasurer of Storey County for December, 1873.....	134,270 89
Semi-annual settlement of Treasurer of Douglas County for December, 1873.....	10,582 37
Semi-annual settlement of Treasurer of Esmeralda County for December, 1873.....	7,661 47

Semi-annual settlement of Treasurer of Humboldt County for December, 1873.....	28,098 41	\$163,652 04
Semi-annual settlement of Treasurer of White Pine County for December, 1873.....	13,864 32	30,681 60
Semi-annual settlement of Treasurer of Lander County for December, 1873.....	21,291 27	7,841 30
Semi-annual settlement of Treasurer of Lincoln County for December, 1873.....	28,059 24	1,613 24
Semi-annual settlement of Treasurer of Washoe County for December, 1873.....	26,969 87	14,713 49
Semi-annual settlement of Treasurer of Nye County for December, 1873.....	19,360 40	158 03
Semi-annual settlement of Treasurer of Ormsby County for December, 1873.....	23,726 63	7,721 74
Semi-annual settlement of Treasurer of Eureka County for December, 1873.....	26,878 61	126 00
Semi-annual settlement of Treasurer of Churchill County for December, 1873.....	4,709 21	
Interest on State bonds belonging to the State School Fund.....	9,970 00	
Fees of office of Secretary of State.....	2,193 45	
Sale of State stamps.....	2,274 04	
Material and labor furnished by State Prison.....	2,267 00	
Sale of attorney license.....	600 00	
Tax on receipts of toll on Devil's Gate Toll Road.....	502 23	
Supreme Court docket tax.....	290 00	
Delinquent stamp tax.....	133 07	
Special deposits on conditional land sales up to March 5th, 1873.....		\$226,507 44
Conditional land sales subsequent to March 5th, 1873, in favor of State School Fund.....		
Land sales on application in favor of State School Fund.....		
Land sales on contract in favor of State School Fund.....		
Conditional land sales in favor of State University Fund.....		
Land sales on application in favor of State University Fund.....		
Conditional land sales in favor of State University Fund (90,000-acre grant).....		
One per cent. on sales of State lands under land law 1871.....		
Total receipts.....	\$529,062 45		

[J]

STATEMENT

Showing disbursements for the year 1873.

DISBURSEMENTS.		Coin.	Currency.
<i>From General Fund.</i>			
On account of salary of Governor.....	\$7,500 00		
On account of salary of Governor's Private Secretary.....	2,600 00	\$10,100 00	
On account of salary of Lieutenant Governor.....	\$4,000 00	4,000 00	
On account of salary of Secretary of State.....	4,500 00		
On account of salary of Deputy Secretary of State.....	3,250 00		
On account of extra clerical hire.....	2,302 15		
On account of salary of Librarian.....	1,950 00		
On account of salary of State Controller.....	\$4,500 00	12,002 15	
On account of salary of Deputy State Controller.....	3,250 00		
On account of extra clerical hire.....	860 00		
On account of salary of State Treasurer.....	\$4,500 00	8,610 00	
On account of salary of Deputy State Treasurer.....	3,121 42		
On account of extra clerical hire.....	615 00		
On account of salary of Surveyor General.....	\$4,500 00	8,236 42	
		4,500 00	

On account of salary of State Mineralogist.....	4,500 00		
On account of traveling expenses.....	1,576 25	6,076 25	
On account of salary of Attorney General.....	3,077 15		
On account of salary of President of Board of Library Directors.....	1,000 00	4,077 15	
On account of salary of Superintendent of Public Instruction.....	2,500 00		
On account of traveling expenses of office.....	467 50	2,967 50	
On account of State Printing.....		31,186 17	
On account of fees and legal services in State cases.....		155 00	
On account of care of deaf, dumb, and blind.....		782 00	
On account of insurance on capitol building.....		1,651 00	
On account of improvement of Orphan Home grounds.....		724 46	
On account of nightwatch and portrage for Capitol.....		3,094 00	
On account of care and preservation of Capitol building.....		1,265 00	
On account of compilation of State laws.....		6,000 00	
On account of salary paid Britton & Gray, attorneys at Washington.....		172 21	
On account of publishing Volume VIII Nevada Reports.....		4,500 00	
On account of deficiency claims of 1872.....		6,109 79	
On account of reliefs granted by Legislature of 1873.....		10,439 00	
On account of stationery, fuel, and lights for Capitol.....		4,956 30	
On account of miscellaneous expenditures.....		7,553 35	\$800 00
On account of cancellation of old vouchers.....			
<i>From State School Fund.</i>			
On account of State bonds purchased.....	2,640 00		
On account of salary of Deputy Land Register.....	3,694 39		
On account of extra clerical hire for Land Office.....	3,624 10		
Carried forward.....		\$139,157 75	\$800 00

DISBURSEMENTS—Continued.

DISBURSEMENTS.		Coin.	Currency.
Brought forward.....	\$139,157 75	\$800 00
On account of incidental expenses in Land Office.....	\$1,362 05	11,320 54	
On account of refunding to conditional purchasers of State land.....	7,690 51
<i>From General School Fund.</i>			
On account of apportionment of school moneys for January.....	16,521 18		
On account of apportionment of school moneys for July.....	9,148 72	25,669 90	
<i>From State Interest and Sinking Fund, 1871-2.</i>			
On account of interest on State bonds of 1871-2.....	29,400 00		
On account of exchange paid on interest on State bonds of 1871-2.....	389 68	29,789 68	
<i>From Territorial Interest and Sinking Fund, 1872.</i>			
On account of interest on Territorial bonds of 1872.....	36,100 00		
On account of exchange paid on interest on State bonds of 1872.....	509 56	36,609 56	
<i>On State Capitol Fund.</i>			
On account of Capitol building expenses.....	23,944 56	23,944 56	

<i>From State Prison Fund.</i>			
On account of salary of Warden.....	\$3,000 00		
On account of salary of Deputy Warden.....	1,570 00		
On account of guard service.....	9,783 66		
On account of capture of escaped convicts.....	1,274 50		
On account of supplies furnished.....	15,616 41		
On account of materials furnished prison shops.....	2,474 01		
On account of general expenses.....	5,568 11	39,286 69	
<i>From Judicial Salary Fund.</i>			
On account of salary of Supreme Judges.....	\$26,078 69	26,078 69	
<i>From Indigent Insane Fund.</i>			
On account of care of indigent insane.....	21,457 33	21,457 33	
<i>From State Library Fund.</i>			
On account of purchase of books for State Library.....	1,749 48	1,749 48	
<i>From State Orphan Home Fund.</i>			
On account of employes of Home.....	3,615 00		
On account of supplies and general expenses for Home.....	5,569 34	9,184 34	
<i>From Nevada Orphan Asylum Fund.</i>			
On account of care of orphans at Virginia City.....	800 00	800 00	
Carried forward.....	\$365,048 52	\$8,490 51

EXHIBIT "N"—Continued.

TERRITORIAL INTEREST AND SINKING FUND, 1872.
Dr.

	Coin.
To balance on hand January 1st, 1873.....	\$28,137 26
To receipts from counties on June, 1873, settlement.....	1,925 57
To receipts from counties on December, 1873, settlement...	54,746 92
Total.....	\$84,809 75
To balance on hand December 31st, 1873.....	\$48,200 19

STATE CAPITOL FUND.

Dr.

	Coin.
To balance on hand January 1st, 1874.....	\$4,811 45
To receipts from counties on June, 1873, settlement.....	9,402 84
To receipts from counties on December, 1873, settlement...	36,917 65
Total.....	\$51,131 94
To balance on hand December 31st, 1873.....	\$27,187 38

EXHIBIT "N"—Continued.

TERRITORIAL INTEREST AND SINKING FUND, 1872.
Cr.

	Coin.
By warrants paid and returned to Controller.....	\$36,609 56
By balance on hand December 31st, 1873.....	48,200 19
Total.....	\$84,809 75

STATE CAPITOL FUND.

Cr.

	Coin.
By warrants paid and returned to Controller.....	\$23,944 56
By balance on hand December 31st, 1873.....	27,187 38
Total.....	\$51,131 94

EXHIBIT "N"—Continued.

STATE PRISON FUND.

Dr.

	Coin.
To receipts from State Prison.....	\$2,627 00
To transfers from General Fund.....	37,689 69
Total.....	\$39,956 69
To balance on hand December 31st, 1873.....	\$670 00

JUDICIAL SALARY FUND.

Dr.

	Coin.
To balance on hand January 1st, 1873.....	\$5,078 69
To receipts from Supreme Court docket tax.....	290 00
To transfer from General Fund.....	20,710 00
Total.....	\$26,078 69

INDIGENT INSANE FUND.

Dr.

	Coin.
To transfer from General Fund.....	\$21,457 33

EXHIBIT "N"—Continued.

STATE PRISON FUND.

Cr.

	Coin.
By warrants paid and returned to Controller.....	\$39,286 69
By balance on hand December 31, 1873.....	670 00
Total.....	\$39,956 69

JUDICIAL SALARY FUND.

Cr.

	Coin.
By warrants paid and returned to Controller.....	\$26,078 69
Total.....	\$26,078 69

INDIGENT INSANE FUND.

Cr.

	Coin.
By warrants paid and returned to Controller.....	\$21,457 33

EXHIBIT "N"—Continued.

STATE LIBRARY FUND.

Dr.

	Coin.
To balance on hand January 1st, 1873.....	\$3,256 37
To receipts from fees of office of Secretary of State.....	2,193 45
To receipts from attorneys' licenses.....	600 00
Total.....	\$6,049 82
To balance on hand December 31st, 1873.....	\$4,275 34

STATE ORPHAN HOME FUND.

Dr.

	Coin.
To transfer from General Fund.....	\$9,184 34

NEVADA ORPHAN ASYLUM FUND (VIRGINIA CITY).

Dr.

	Coin.
To transfer from General Fund.....	\$800 00

EXHIBIT "N"—Continued.

STATE LIBRARY FUND.

Cr.

	Coin.
By warrants paid and returned to Controller.....	\$1,749 48
By transfer to General Fund.....	25 00
By balance on hand December 31st, 1873.....	4,275 34
Total.....	\$6,049 82

STATE ORPHAN HOME FUND.

Cr.

	Coin.
By warrants paid and returned to Controller.....	\$9,184 34

NEVADA ORPHAN ASYLUM FUND (VIRGINIA CITY).

Cr.

	Coin.
By warrants paid and returned to Controller.....	\$800 00

EXHIBIT "N"—Continued.

STATE LEGISLATIVE FUND, 1873.

Dr.

	Coin.
To transfer from General Fund.....	\$75,000 00
Total.....	\$75,000 00

SENATE CONTINGENT FUND.

Dr.

	Coin.
To transfer from State Legislative Fund, 1873.....	\$3,000 00
To transfer from General Fund.....	2,500 00
Total.....	\$5,500 00

ASSEMBLY CONTINGENT FUND.

Dr.

	Coin.
To transfer from State Legislative Fund, 1873.....	\$4,000 00
To transfer from General Fund.....	2,100 00
Total.....	\$6,100 00

EXHIBIT "N"—Continued.

STATE LEGISLATIVE FUND, 1873.

Cr.

	Coin.
By transfer to Senate Contingent Fund.....	\$3,000 00
By transfer to Assembly Contingent Fund.....	4,000 00
By warrants paid and returned to Controller.....	67,983 20
By transfer to General Fund.....	16 80
Total.....	\$75,000 00

SENATE CONTINGENT FUND.

Cr.

	Coin.
By warrants paid and returned to Controller.....	\$5,320 57
By transfer to General Fund.....	179 43
Total.....	\$5,500 00

ASSEMBLY CONTINGENT FUND.

Cr.

	Coin.
By warrants paid and returned to Controller.....	\$5,973 14
By transfer to General Fund.....	126 86
Total.....	\$6,100 00

EXHIBIT "N"—Continued.

STATE UNIVERSITY FUND.

Dr.

	Currency.
To receipts from conditional sales of State lands.....	\$14,713 49
To receipts from land sales on application.....	158 03
Total.....	\$14,871 52

STATE UNIVERSITY FUND (90,000-ACRE GRANT).

Dr.

	Currency.
To receipts from conditional sales of State land.....	\$7,721 74
Total.....	\$7,721 74

SPECIAL LAND FUND.

Dr.

	Currency.
To balance on hand January 1st, 1873.....	\$1,656 70
To receipts from one per cent. on sales of land to March 5th, 1873.....	126 00
Total.....	\$1,782 70

EXHIBIT "N"—Continued.

STATE UNIVERSITY FUND.

Cr.

	Currency.
By warrants paid and returned to Controller.....	\$630 00
By balance on hand December 31st, 1873.....	\$14,241 52
Total	\$14,871 52

STATE UNIVERSITY FUND (90,000-ACRE GRANT).

Cr.

	Currency.
By warrants paid and returned to Controller.....	\$80 00
By balance on hand December 31st, 1873.....	7,641 74
Total	\$7,721 74

SPECIAL LAND FUND.

Cr.

	Currency.
By balance on hand December 31st, 1873.....	\$1,782 70
Total.....	\$1,782 70

EXHIBIT "N"—Continued.

SOLDIERS' FUND.

Dr.

	Coin.	Currency.
To balance on hand January 1st, 1873.....	\$963 28	
To currency purchased.....		\$2 00
Totals.....	\$963 28	\$2 00

STATE LEGISLATIVE FUND, 1871.

Dr.

	Coin.
To balance on hand January 1st, 1873.....	\$5 00

EXHIBIT "N"—Continued.

SOLDIERS' FUND.

Cr.

	Coin.	Currency.
By warrant paid and returned to Controller.....		\$2 00
By transfer to General Fund.....	\$953 10	
By amount paid for currency.....	1 80	
By balance on hand December 31st, 1873.....	8 38	
Totals.....	\$963 28	\$2 00

STATE LEGISLATIVE FUND, 1871.

Cr.

	Coin.

[O]

STATEMENT

Showing deposits made by applicants for land, amount refunded, and amount transferred to State School Fund.

SPECIAL DEPOSIT ACCOUNT.

Dr.

	Currency.
To balance on hand January 1st, 1873.....	\$152,744 83
To receipts on deposit up to March 5th, 1873.....	12,326 11
Total.....	\$165,070 94

[P]

STATEMENT

Showing the transactions in the stamp account for the year 1873.

STATE STAMP ACCOUNT.

Dr.

	Coin.
To balance on hand January 1st, 1873.....	\$211,985 35
To stamps with County Treasurers (returned on final settlement)	17,989 36
Total.....	\$229,974 71

STATEMENT

[O]

Showing deposits made by applicants for land, amount refunded, and amount transferred to State School Fund.

SPECIAL DEPOSIT ACCOUNT.

Cr.

	Currency.
By amount refunded to applicants.....	\$1,418 90
By amount transferred to State School Fund.....	163,652 04
Total	\$165,070 94

STATEMENT

[P]

Showing the transactions in the stamp account for the year 1873.

STATE STAMP ACCOUNT.

Cr.

	Coin.
By stamps returned to Controller on final settlement.....	\$223,637 87
By receipts from sale of stamps by County Treasurers.....	2,157 65
By receipts from sale of stamps by State Treasurer.....	116 39
By expressage on receipts from County Treasurers.....	40 94
By commissions to purchasers from State Treasurer.....	7 51
By commissions and percentage to County Treasurers.....	308 12
By advertising final settlement.....	65 00
By deficiency stamp account Douglas County, 1869.....	293 24
By deficiency stamp account White Pine County, 1870.....	3,347 99
Total.....	\$229,974 71

[Q]

STATEMENT

Showing liabilities and assets, also net indebtedness, December 31st, 1873.

	Coin.	Currency.	Grand totals.
<i>Liabilities.</i>			
State bonds issued April 1st, 1871, redeemable in ten years.....	\$160,000 00
Accrued interest on the same.....	4,000 00
State bonds issued March 1st, 1872, redeemable in ten years.....	120,000 00
Accrued interest on the same.....	3,799 99
State bonds issued March 1st, 1872, redeemable in fifteen years.....	380,000 00
Accrued interest on the same.....	12,033 33
State warrants outstanding.....	1,536 90	40 00
			\$631,410 22
<i>Assets.</i>			
State bonds issued April 1st, 1871, purchased as securities for the State School Fund.....	\$18,000 00
Accrued interest on the same.....	450 00
State bonds issued March 1st, 1872, redeemable in ten years, purchased for State School Fund.....	86,000 00
Accrued interest on the same.....	2,723 33
Cash on hand in the different funds.....	494,582 23	\$27,479 66
			\$629,235 22
Net indebtedness, December 31st, 1873.....			\$52,175 00

ANNUAL REPORT OF THE STATE TREASURER
TO THE
GOVERNOR OF THE STATE OF NEVADA,
FOR
THE YEAR 1874.



CONTENTS.

EXHIBIT A.

Showing balance December thirty-first, eighteen hundred and seventy-three, and its apportionment.

EXHIBIT B.

Showing outstanding warrants December thirty-first, eighteen hundred and seventy-three, years of registration, and upon what fund drawn.

EXHIBIT C.

Showing funded debt of the State, date of issuance of bonds, and rate of interest.

EXHIBIT D.

Showing liabilities and assets, also net indebtedness December thirty-first, eighteen hundred and seventy-three.

EXHIBIT E.

Showing balance on hand at the beginning and close of the year eighteen hundred and seventy-four; also, receipts and disbursements.

EXHIBIT F.

Showing disbursements from the different funds, total receipts, with balances.

EXHIBIT G.

Showing warrants outstanding at the beginning and close of the year; also, warrants drawn and returned during the year.

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Showing receipts for the year eighteen hundred and seventy-four.

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Showing sale of currency for the year.

EXHIBIT L.

Showing list of State bonds belonging to the State School Fund.

EXHIBIT M.

Showing list of State bonds outstanding.

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Showing list of United States bonds belonging to the different State funds.

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EXHIBIT P.

Showing assets and liabilities December thirty-first, eighteen hundred and seventy-four.

EXHIBIT Q.

Showing the disposition of the appropriation for extra clerical hire for Treasurer's office.

REPORT OF STATE TREASURER.

TREASURY DEPARTMENT OF THE STATE OF NEVADA, }
CARSON, December 31st, 1874.

To His Excellency,

L. R. BRADLEY,

Governor of the State of Nevada:

SIR: In obedience with the requirements of law, I have the honor to herewith submit my annual report of the receipts and disbursements, with such other information as may be necessary for a full and complete understanding of the transactions of this department, for the fiscal year ending December thirty-first, eighteen hundred and seventy-four.

Respectfully submitted.

JERRY SCHOOLING,
State Treasurer.

[A] STATEMENT

Showing balance December 31st, 1873, and its apportionment.

	Coin.	Currency.
Balance on hand December 31st, as shown by report for 1873.....	\$494,582 23	\$27,479 66
<i>Apportioned as follows:</i>		
To the General Fund.....	\$160,354 49
To the State School Fund.....	166,610 25	\$3,813 70
To the General School Fund.....	20,961 59
To the State Interest and Sinking Fund.....	66,309 61
To the Territorial Interest and Sinking Fund, 1871-2.....	48,200 19
To the State Capitol Fund.....	27,187 38
To the State Library Fund.....	4,276 34
To the State Prison Fund.....	670 00
To the Soldiers' Fund.....	8 38
To the State Legislative Fund, 1871.....	5 00
To the Special Land Fund.....	1,782 70
To the State University Fund.....	14,241 52
To the State University Fund (90,000-acre grant).....	7,641 74
Totals.....	\$494,582 23	\$27,479 66

[B]

STATEMENT

Showing the outstanding registered warrants December 31st, 1873; also, the years of registration, and the funds upon which such warrants were drawn.

UPON WHAT FUNDS DRAWN.	Years of registration.	Coin.	Currency.
State Prison Fund.....	1871	\$62 66
State Legislative Fund, 1871.....	1871	5 00
State Capitol Fund.....	1871	127 26
State Prison Fund.....	1872	46 66
State Orphan Home Fund.....	1872	7 00
General Fund.....	1873	548 48
State Prison Fund.....	1874	573 15
State Orphan Home Fund.....	1874	56 69
State Building Fund.....	1874	110 00
State School Fund.....	1874	\$40 00
Totals.....	\$1,536 90	\$40 00

STATEMENT

[C]

Showing total funded debt of the State; also, date of issuance of bonds, date redeemable, rate of interest, and date of payment.

NEVADA STATE BONDS.	Date redeemable.	Rate of interest.	Date of payment of interest.	Amount of bonds. Coin.
State bonds issued April 1st, 1871, (outstanding)	April 1st, 1881...	10 per cent. per annum...	April 1, October 1	\$142,000 00
State bonds issued April 1st, 1871, (held as security for State School Fund)	April 1st, 1881...	10 per cent. per annum...	April 1, October 1	18,000 00
State bonds issued March 1st, 1872, (outstanding)	March 1st, 1882..	9½ per cent. per annum..	March 1, September 1..	34,000 00
State bonds issued March 1st, 1872, (held as security for State School Fund)	March 1st, 1882..	9½ per cent. per annum..	March 1, September 1..	86,000 00
State bonds issued March 1st, 1872, (outstanding)	March 1st, 1887..	9½ per cent. per annum..	March 1, September 1..	380,000 00
				<u>\$660,000 00</u>

[D]

STATEMENT

Showing liabilities and assets; also, net indebtedness, December 31st, 1873.

	Coin.	Currency.	Grand total.
<i>Liabilities.</i>			
State bonds issued April 1st, 1871, redeemable in ten years.....	\$160,000 00
Accrued interest on the same.....	4,000 00
State bonds issued March 1st, 1872, redeemable in ten years.....	120,000 00
Accrued interest on the same.....	3,799 99
State bonds issued March 1st, 1872, redeemable in fifteen years.....	380,000 00
Accrued interest on the same.....	12,033 33
State warrants outstanding.....	1,536 90	\$40 00
			\$681,410 22
<i>Assets.</i>			
State bonds issued April 1st, 1871, purchased and held as securities for State School Fund.....	\$18,000 00
Accrued interest on the same.....	450 00
State bonds issued March 1st, 1872, redeemable in ten years, held as securities for State School Fund.....	86,000 00
Accrued interest on the same.....	2,723 33
Cash on hand in the different funds.....	494,552 23	\$27,479 66
			\$629,235 22
Net indebtedness December 31st, 1873.....	\$52,175 00

[E]

STATEMENT

Showing balance on hand January 1st, 1874; receipts and disbursements for the year; balance December 31st, 1874; and apportionment of the same.

	Coin.	Currency.
Balance on hand January 1st, 1874, as shown by report December 31st, 1873.....	\$494,582 23	\$27,479 66
Total receipts for the year 1874.....	527,547 64	42,729 36
Deduct currency sold during the year.....	\$1,022,129 87	\$70,209 02
Add receipts from sale of currency.....	\$1,022,129 87	29,885 76
Deduct disbursements for the year.....	27,169 24	\$40,323 26
Balance on hand December 31st, 1874.....	1,049,299 11	40,323 26
	560,122 04	10,783 12
	\$489,177 07	\$29,540 14
<i>Apportioned as follows:</i>		
General Fund.....	\$322,335 58
State School Fund.....	10,315 20	\$13,265 84
General School Fund.....	19,820 89
State Interest and Sinking Fund, 1871-2.....	1,152 80

Territorial Interest and Sinking Fund, 1872.....	66,284 77
State Capitol Fund.....	49 66
State Building Fund.....	34,172 35	250 00
State Library Fund.....	5,331 84
State Prison Fund.....	8,376 10
State University Fund.....	51 31	3,211 79
State University Fund (90,000-acre grant).....	16,023 19	11,029 81
Special Land Fund.....	1,782 70
Soldiers' Fund.....	8 38
State Legislative Fund, 1871.....	5 00
Judicial Salary Fund.....	5,260
Totals.....	\$489,177 07	\$29,540 14

[F]

STATEMENT

Showing the disbursements from the different funds, total receipts, and balance on hand at the beginning and close of the year 1874.

GENERAL REVENUE ACCOUNT.

Dr.

	Coin.	Currency.
To warrants paid from General Fund.....	\$57,601 69
To warrants paid from State Prison Fund.....	57,970 73
To warrants paid from State Orphans' Home Fund.....	10,234 31
To warrants paid from State Indigent Insane Fund.....	21,731 00
To warrants paid from General School Fund	30,029 54
To warrants paid from State Library Fund.....	1,347 11
To warrants paid from State School Fund.....	160,967 58	\$9,178 94
To warrants paid from State Building Fund.....	36,538 98	350 00
To warrants paid from State Interest and Sinking Fund, 1871-2.....	119,895 32
To warrants paid from Territorial Interest and Sinking Fund, 1872.....	36,631 99
To warrants paid from University Contingent Fund.....	735 50
To warrants paid from Judicial Salary Fund.....	15,750 00
To warrants paid from State Capitol Fund.....	77 60
To warrants paid from State University Fund.....	10,610 69	991 95
To warrants paid from State University Fund, 90,000-acre grant.....	262 23
To currency sold during the year.....	29,885 76
To balance on hand December 31st, 1874.....	489,177 07	29,540 14
	<u>\$1,049,299 11</u>	<u>\$70,209 02</u>

[F]

STATEMENT

Showing the disbursements from the different funds, total receipts, and balance on hand at the beginning and close of the year 1874.

GENERAL REVENUE ACCOUNT.

Cr.

	Coin.	Currency.
By balance on hand January 1st, 1874.....	\$494,582 23	\$27,479 66
By receipts from County Treasurers on June, 1874, settlement...	117,967 11
By receipts from delinquent Treasurers, settlement of 1870.....	5,454 25
By receipts from County Treasurers on December, 1874, settlement	369,100 34
By receipts from interest on State School Fund bonds.....	9,975 00
By receipts from State Prison labor and materials.....	21,701 60
By receipts from fees of office of Secretary of State.....	2,215 61
By receipts from Supreme Court docket tax.....	280 00
By receipts from sale of attorneys' licenses.....	250 00
By receipts from Devil's Gate toll road.....	473 78
By receipts from B. C. Whitman (refunded).....	50 00
By receipts from fees of office of State Controller.....	75 00
By receipts from delinquent stamp tax.....	5 00
By receipts from land sales in favor of State School Fund.....	10,109 70
By receipts from land sales in favor of State University Fund...	1,010 32
By receipts from land sales in favor of State University Fund, 90,000-acre grant.....	117 08
By receipts from land sales, on contract, in favor of State School Fund.....	3,456 48
By receipts from conditional land sales in favor of State School Fund.....	5,353 51
By receipts from conditional land sales in favor of State University Fund.....	623 01
By receipts from conditional land sales in favor of State University Fund, 90,000-acre grant.....	21,210 37
By receipts from conditional land sales in favor of State Building Fund.....	600 00
By receipts from General Government.....	248 94
By receipts from sale of currency during the year.....	27,169 24
	<u>\$1,049,299 11</u>	<u>\$70,209 02</u>
By balance on hand December 31st, 1874.....	\$489,177 07	\$29,540 14

[G] STATEMENT

Showing outstanding warrants January 1st, 1874; warrants drawn and registered during the year; warrants paid and returned to State Controller; and warrants outstanding December 31st, 1874.

GENERAL WARRANT ACCOUNT—COIN.

FUNDS.	Warrants out- standing Janu- ary 1st, 1874.	Warrants drawn and registered during the year.	Warrants paid and returned to State Controller.	Warrants out- standing Decem- ber 31st, 1874.
General Fund.....	\$548 48	\$80,088 69	\$57,601 69	\$23,035 48
State Prison Fund.....	682 77	63,615 59	57,970 73	6,327 33
State Orphan Home Fund.....	63 69	12,021 28	10,234 31	1,850 66
State School Fund.....	162,462 41	160,967 58	1,494 83
General School Fund.....	30,510 79	30,029 54	481 25
State Interest and Sinking Fund, 1871-2.....	133,779 25	119,895 32	13,883 93
Territorial Interest and Sinking Fund, 1872.....	36,631 99	36,631 99
Judicial Salary Fund.....	21,000 00	15,750 00	5,250 00
State University Fund.....	10,610 69	10,610 69
State Library Fund.....	1,601 78	1,347 11	254 67
State Building Fund.....	50,601 87	36,538 98	14,172 89
State Capitol Fund.....	110 00	77 60	49 66
State Indigent Insane Fund.....	127 26	25,429 36	21,731 00	3,698 36
University Contingent Fund.....	1,479 38	735 50	743 88
State Legislative Fund, 1871.....	5 00	5 00
Totals.....	\$1,536 90	\$629,833 08	\$560,122 04	\$71,247 94

[G]

STATEMENT

Showing warrants outstanding January 1st, 1874; warrants drawn and registered during the year; warrants paid and returned to State Controller; and warrants outstanding December 31st, 1874.

GENERAL WARRANT ACCOUNT—CURRENCY.

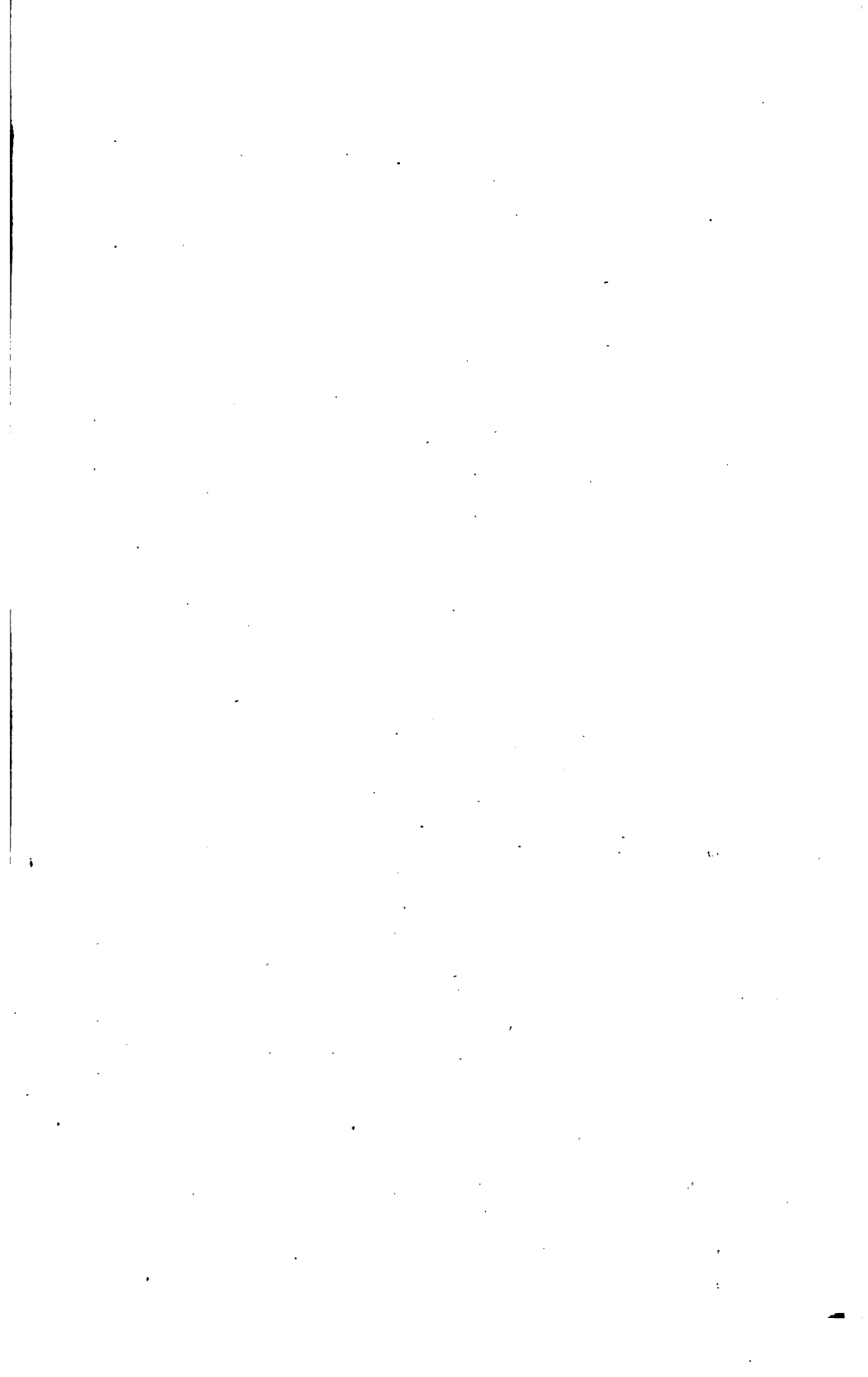
Funds.	Warrants outstanding January 1st, 1874.	Warrants drawn and registered during the year.	Warrants paid and returned to State Controller.	Warrants outstanding December 31st, 1874.
State School Fund.....	\$40 00	\$10,240 25	\$9,178 94	\$1,101 31
State Building Fund.....	350 00	350 00
State University Fund.....	1,170 75	991 95	178 80
State University Fund (90,000-acre grant).....	262 23	262 23
Totals	\$40 00	\$12,023 23	\$10,783 12	\$1,280 11

[H]

STATEMENT

Showing the outstanding registered warrants December 31st, 1874, and years of registration of the same.

UPON WHAT FUND DRAWN.	Years of registration.	Coin.	Currency.
State Prison Fund.....	1871	\$59 66	
State Legislative Fund.....	1871	5 00	
State Capitol Fund.....	1871	49 66	
State Prison Fund.....	1872	46 66	
State Prison Fund.....	1873	71 25	
General Fund.....	1874	23,035 48	
State School Fund.....	1874	1,494 83	\$1,101 31
State Prison Fund.....	1874	6,149 76	
State Orphans' Home Fund.....	1874	1,850 66	
State Library Fund.....	1874	264 67	
General School Fund.....	1874	481 25	
State Building Fund.....	1874	14,172 89	
State Indigent Insane Fund.....	1874	3,698 36	
State University Fund.....	1874	178 80
University Contingent Fund.....	1874	743 88	
Judicial Salary Fund.....	1874	5,250 00	
State Interest and Sinking Fund, 1871-2.....	1874	13,883 93	
		\$71,247 94	\$1,280 11



STATEMENT

Showing receipts for the year 1874.

FOR WHAT RECEIVED.	Coin.	Currency.
County Treasurers' deficiency, settlement for December, 1870, by L. Cook, ex-Treasurer of White Pine County.....	\$5,454 25
Semi-annual settlement of Treasurer of Lyon County for June, 1874.....	1,748 70
Semi-annual settlement of Treasurer of Washoe County for June, 1874.....	1,519 67
Semi-annual settlement of Treasurer of Elko County for June, 1874.....	4,041 75
Semi-annual settlement of Treasurer of Nye County for June, 1874.....	3,189 67
Semi-annual settlement of Treasurer of Storey County for June, 1874.....	79,684 64
Semi-annual settlement of Treasurer of Esmeralda County for June, 1874.....	1,775 18
Semi-annual settlement of Treasurer of Douglas County for June, 1874.....	569 27
Semi-annual settlement of Treasurer of Lander County for June, 1874.....	3,030 03
Semi-annual settlement of Treasurer of Humboldt County for June, 1874.....	1,536 18
Semi-annual settlement of Treasurer of Lincoln County for June, 1874.....	9,952 67
Semi-annual settlement of Treasurer of Ormsby County for June, 1874.....	1,550 16
Semi-annual settlement of Treasurer of White Pine County for June, 1874.....	1,762 20
Semi-annual settlement of Treasurer of Churchill County for June, 1874.....	152 74
Semi-annual settlement of Treasurer of Eureka County for June, 1874.....	7,454 25
Semi-annual settlement of Treasurer of Esmeralda County for December, 1874.....	6,000 90
Semi-annual settlement of Treasurer of Churchill County for December, 1874.....	4,593 13
Semi-annual settlement of Treasurer of Lander County for December, 1874.....	19,547 45
Semi-annual settlement of Treasurer of Lyon County for December, 1874.....	15,708 74
Semi-annual settlement of Treasurer of Humboldt County for December, 1874.....	27,219 72
Semi-annual settlement of Treasurer of Washoe County for December, 1874.....	23,166 77

Semi-annual settlement of Treasurer of Douglas County for December, 1874.....	10,553 28	
Semi-annual settlement of Treasurer of Elko County for December, 1874.....	29,357 85	
Semi-annual settlement of Treasurer of Lincoln County for December, 1874.....	15,462 74	
Semi-annual settlement of Treasurer of White Pine County for December, 1874.....	11,469 50	
Semi-annual settlement of Treasurer of Nye County for December, 1874.....	17,538 57	
Semi-annual settlement of Treasurer of Storey County for December, 1874.....	133,952 77	
Semi-annual settlement of Treasurer of Eureka County for December, 1874.....	26,178 91	
Semi-annual settlement of Treasurer of Ormsby County for December, 1874.....	28,360 01	
Interest on State bonds belonging to the State School Fund.....	9,975 00	
Receipts from State Prison for materials and labor furnished.....	21,701 60	
Fees of office of Secretary of State.....	2,215 61	
Supreme Court docket tax.....	280 00	
Sale of attorneys licenses.....	250 00	
Tax on receipts of toll by the Devil's Gate Toll Road.....	473 73	
Refunded by B. C. Whitman.....	50 00	
Fees of office of State Controller.....	75 00	
Delinquent stamp tax.....	5 00	
Land sales in favor of the State School Fund.....	\$10,109 70	
Land sales in favor of the State University Fund.....	1,010 32	
Land sales in favor of the State University Fund, 90,000-acre grant.....	117 08	
Land sales, on contract, in favor of the State School Fund.....	3,456 43	
Conditional land sales in favor of the State School Fund.....	5,353 51	
Conditional land sales in favor of the State University Fund.....	623 01	
Conditional land sales in favor of the State University Fund, 90,000-acre grant.....	21,210 37	
Conditional land sales in favor of the State Building Fund.....	600 00	
Collections from the General Government (one per cent on sale of land).....	248 94	
Total receipts.....	\$527,547 64	\$42,729 36	

[J]

STATEMENT

Showing disbursements for the year 1874.

DISBURSEMENTS.		Coin.	Currency.
<i>From the General Fund.</i>			
On account of salary of Governor.....	\$4,500 00		
On account of salary of Governor's Private Secretary.....	2,000 00	\$6,500 00
On account of salary of Lieutenant Governor.....	3,000 00
On account of salary of Secretary of State.....	\$2,700 00		
On account of salary of Deputy Secretary of State.....	2,500 00		
On account of extra clerical hire.....	568 25	5,768 25
On account of salary of State Controller.....	\$2,700 00		
On account of salary of Deputy State Controller.....	2,500 00		
On account of extra clerical hire.....	800 00	6,000 00
On account of salary of State Treasurer.....	\$2,700 00		
On account of salary of Deputy State Treasurer.....	2,500 00		
On account of extra clerical hire.....	423 00	5,623 00

On account of salary of State Mineralogist.....	\$2,700 00		
On account of traveling expenses of Mineralogist.....	2,200 21		
On account of improvement of office.....	546 00	5,446 21	
On account of salary of Land Register.....		2,700 00	
On account of salary of Attorney General.....	\$1,875 00		
On account of salary of President Board Library Directors.....	900 00	2,775 00	
On account of salary of Superintendent of Public Instruction.....	\$1,500 00		
On account of traveling expenses.....	190 70	1,690 70	
On account of salary of Librarian.....		1,500 00	
On account of care of deaf and dumb.....		927 65	
On account of night watch and portorage for State Capitol.....		2,810 00	
On account of salary of Land Agent at Washington.....		1,500 00	
On account of Bailiff of Supreme Court.....		280 00	
On account of care and preservation of State Capitol.....		1,323 40	
On account of insurance of Capitol and State Library.....		692 45	
On account of contingent expenses of Board of Examiners.....		550 00	
On account of rewards for capture of convicts.....		800 00	
On account of enforcement of revenue laws.....		498 00	
On account of State printing.....		431 89	
On account of storage and transportation of State arms.....		253 51	
On account of stationery, fuel, and lights.....		3,305 78	
On account of current expense account.....		3,225 85	
Carried forward.....		\$57,601 69	

DISBURSEMENTS FOR THE YEAR 1874—Continued.

[J]

DISBURSEMENTS.	Coin.	Currency.
Brought forward.....	\$57,601 69
<i>From State School Fund.</i>		
On account of purchase of \$146,000 United States bonds.....		
On account of salary of Deputy Land Register.....	\$155,066 08	
On account of extra clerical hire in Land Office.....	2,500 00	
On account of copying township plats for Land Office.....	2,695 00	
On account of incidental expense of Land Office.....	768 00	
	28 50	
On account of refunding to conditional purchasers.....	160,967 58
	\$9,178 94
<i>From General School Fund.</i>		
On account of apportionment of school moneys for January.....	\$20,961 59	
On account of apportionment of school moneys for July.....	9,067 95
	30,029 54	
<i>From State Capitol Fund.</i>		
On account of Capitol building expense account.....	77 60

From State Interest and Sinking Fund, 1871-2.

On account of purchase of \$100,000 United States bonds.....
 On account of interest on State bonds of 1871-2.....
 On account of New York exchange on interest paid.....

\$106,107 00
 13,675 00
 113 32

119,895 32

33

From Territorial Interest and Sinking Fund, 1872.

On account of interest on State bonds of 1872.....
 On account of New York exchange on interest paid.....

\$36,100 00
 531 99

36,631 99

From State Library Fund.

On account of purchase of books for State Library.....

.....

1,347 11

From State Building Fund.

On account of purchase of land and location of new State Prison.....
 On account of building expense account of new prison.....

\$3,558 75
 32,980 23

36,538 98

On account of refunding to conditional purchasers of State land.....

.....

350 00

From State Prison Fund.

On account of salary of Warden of State Prison.....
 On account of salary of Deputy Warden of State Prison.....
 On account of guard service of State Prison.....

\$2,750 00
 1,375 00
 10,159 34

Carried forward.....

.....

\$443,089 81

\$9,528 94

DISBURSEMENTS FOR THE YEAR 1874—Continued.

[J]

DISBURSEMENTS.		Coin.	Currency.
Brought forward.....	\$443,089 81	\$9,528 94
On account of supplies for State Prison	\$8,636 99		
On account of meat for State Prison.....	3,980 51		
On account of material furnished shoe shops.....	17,078 04		
On account of general expense of State Prison.....	13,990 85		
<i>From State Orphan Home Fund.</i>			
On account of salary and labor at Orphan Home.....	\$3,487 90		
On account of supplies furnished Orphan Home.....	2,900 86		
On account of general expense at Orphan Home.....	3,845 55		
<i>From State Indigent Insane Fund.</i>			
On account of care of indigent insane.....	21,731 00
<i>From University Contingent Fund.</i>			
On account of salary of Principal of University.....	\$500 00		
On account of contingent expense account of University.....	235 50		
		735 50

<i>From Judicial Salary Fund.</i>				
On account of salary of Supreme Judges.....			15,750 00
<i>From State University Fund.</i>				
On account of purchase of \$10,000 United States bonds.....			10,610 69
On account of refunding to conditional purchasers of State land.....				991 95
<i>From State University Fund, 90,000-acre grant.</i>				
On account of refunding to conditional purchasers of State land.....				262 23
Totals.....			\$560,122 04	\$10,783 12

[K] STATEMENT

Showing the sale of currency for the year 1874.

SALE OF CURRENCY.	Currency.	Coin.	Discount.
<i>From State School Fund.</i>			
Currency sold.....	\$537 50		
Coin realized.....		\$484 05	
Discount on currency.....			\$53 45
<i>From State University Fund.</i>			
Currency sold.....	11,671 11		
Coin realized.....		10,662 00	
Discount on currency.....			1,009 11
<i>From State University Fund, 90,000-acre grant.</i>			
Currency sold.....	17,877 15		
Coin realized.....		16,023 19	
Discount on currency.....			1,653 96
Totals.....	\$29,885 76	\$27,169 24	\$2,716 52

[L]

STATEMENT

Showing list of State bonds purchased and held as securities for State School Fund.

Number and value.	Date issued.	Date redeemable.	Date of payment of interest.	Rate of interest.	Amount of bonds.
From No. 2 to 4, inclusive, 3 of \$500 each.	April 1st, 1871...	April 1st, 1881...	October 1st....	10 per cent per annum...	\$1,500 00
From No. 6 1 of 500	April 1st, 1871...	April 1st, 1881...	October 1st....	10 per cent per annum...	500 00
From No. 91 to 92, inclusive, 2 of 1,000 each.	April 1st, 1871...	April 1st, 1881...	October 1st....	10 per cent per annum...	2,000 00
From No. 130 to 134, inclusive, 5 of 1,000 each.	April 1st, 1871...	April 1st, 1881...	October 1st....	10 per cent per annum...	5,000 00
From No. 181 to 187, inclusive, 7 of 1,000 each.	April 1st, 1871...	April 1st, 1881...	October 1st....	10 per cent per annum...	7,000 00
From No. 192 to 197, inclusive, 6 of 100 each.	April 1st, 1871...	April 1st, 1881...	October 1st....	10 per cent per annum...	600 00
From No. 200 to 213, inclusive, 14 of 100 each.	April 1st, 1871...	April 1st, 1881...	October 1st....	10 per cent per annum...	1,400 00
From No. 225 1 of 1,000	March 1st, 1872...	March 1st, 1882...	September 1st.	9½ per cent per annum.	1,000 00
No. 233 1 of 1,000	March 1st, 1872...	March 1st, 1882...	September 1st.	9½ per cent per annum.	1,000 00
No. 242 1 of 1,000	March 1st, 1872...	March 1st, 1882...	September 1st.	9½ per cent per annum.	1,000 00
From No. 246 to 248, inclusive, 3 of 1,000 each.	March 1st, 1872...	March 1st, 1882...	September 1st.	9½ per cent per annum.	3,000 00
From No. 250 to 251, inclusive, 2 of 1,000 each.	March 1st, 1872...	March 1st, 1882...	September 1st.	9½ per cent per annum.	2,000 00
From No. 254 to 259, inclusive, 6 of 1,000 each.	March 1st, 1872...	March 1st, 1882...	September 1st.	9½ per cent per annum.	6,000 00
No. 263 1 of 1,000	March 1st, 1872...	March 1st, 1882...	September 1st.	9½ per cent per annum.	1,000 00
From No. 265 to 266, inclusive, 32 of 1,000 each.	March 1st, 1872...	March 1st, 1882...	September 1st.	9½ per cent per annum.	32,000 00
From No. 297 to 369, inclusive, 73 of 500 each.	March 1st, 1872...	March 1st, 1882...	September 1st.	9½ per cent per annum.	36,500 00
From No. 374 to 378, inclusive, 5 of 500 each.	March 1st, 1872...	March 1st, 1882...	September 1st.	9½ per cent per annum.	2,500 00
Total.....	\$104,000 00
Accrued interest on ten per cent bonds to December 31st, 1874.....					\$450 00
Accrued interest on nine and a half per cent bonds to December 31st, 1874.....					2,723 83
					\$3,173 83

[N]

STATEMENT

Showing a list of United States bonds purchased and held as securities for the following State Funds:

STATE SCHOOL FUND.

Number and value of bonds.	Title of loan.	Authorizing Act.	When redeemable.	When payable.	Interest, when payable.	Rate of interest.	Amount of bonds.
Number 8,455 (A).....	5-20s of 1865.	March 8, 1865.	July 1, 1870.	July 1, 1885.	Jan. 1.	Six p. ct. per annum.	\$5,000 00
Number 30,986 (B).....	5-20s of 1865.	March 8, 1865.	July 1, 1870.	July 1, 1885.	Jan. 1.	Six p. ct. per annum.	1,000 00
Number 15,775 to 15,788, inclusive, of \$10,000 each (D).....	5-20s of 1865.	March 8, 1865.	July 1, 1870.	July 1, 1885.	Jan. 1.	Six p. ct. per annum.	140,000 00
Total.....	\$146,000 00

STATE INTEREST AND SINKING FUND, 1871-2.

Number and value of bonds.	Title of loan.	Authorizing Act.	When redeemable.	When payable.	Interest, when payable.	Rate of interest.	Amount of bonds.
Number 15,789 to 17,798, inclusive, of \$10,000 each (D).....	5-20s of 1865.	March 8, 1865.	July 1, 1870.	July 1, 1885.	Jan. 1.	Six p. ct. per annum.	\$100,000 00

[N] STATEMENT SHOWING LIST OF STATE BONDS—Continued.
STATE UNIVERSITY FUND.

Number and value of bonds.	Title of loan.	Authorizing Act.	When re-deemable.	When payable.	Interest, when payable.	Rate of interest.	Amount of bonds.
Number 15,799 (D).....	5-20s of 1865.	March 3, 1865.	July 1, 1870.	July 1, 1885.	Jan. 1.	July 1. Six p. ct. per annum.	\$10,000 00
<hr/>							
<hr/>							
Accrued interest on United States bonds belonging to State School Fund							
Accrued interest on United States bonds belonging to State Interest and Sinking Fund, 1871-2.....							
Accrued interest on United States bonds belonging to State University Fund							
<hr/>							
Total.....							\$7,680 00

EXHIBIT "O."

Showing the transactions of the different Funds.

GENERAL FUND.

Dr.

	Coin.
To balance on hand January 1st, 1874.....	\$160,354 49
To receipts from counties on June, 1874, settlement	98,037 38
To receipts from counties on December, 1874, settlement...	213,011 05
To receipts from White Pine County, deficiency, settle- ment 1870.....	5,077 89
To receipts from delinquent stamp tax.....	5 00
To receipts from fees of office of Secretary of State.....	112 00
	<u>\$476,597 81</u>
To balance on hand December 31st, 1874.....	\$322,335 58

STATE SCHOOL FUND.

	Coin.	Currency.
To balance on hand January 1st, 1874.....	\$166,610 25	\$3,813 70
To receipts from counties, June, 1874, settle- ment	1,865 21	
To receipts from Devil's Gate toll road.....	473 71	
To receipts from White Pine County, defi- ciency settlement 1870.....	158 21	
To receipts from fees of office State Control- ler	75 00	
To receipts from sale of State land.....		18,919 64
To receipts from collections from General Government.....		248 94
To receipts from sale of currency.....	484 05	
To receipts from counties on December, 1874, settlement	1,616 35	
	<u>\$171,282 78</u>	<u>\$22,982 28</u>
To balance on hand December 31st, 1874.....	\$10,315 20	\$13,265 84

EXHIBIT "O."

Showing the transactions of the different Funds.

GENERAL FUND.

Cr.

	Coin.
By transfer to State Prison Fund	\$43,975 23
By transfer to State Orphan Home Fund.....	10,234 31
By transfer to Judicial Salary Fund	20,720 00
By transfer to Indigent Insane Fund.....	21,731 00
By warrants paid and returned to Controller.....	57,601 69
By balance on hand December 31st, 1874.....	322,335 58
	<u>\$476,597 81</u>

STATE SCHOOL FUND.

	Coin.	Currency.
By sale of currency for the year 1874.....		\$537 50
By warrants paid and returned to Controller.	\$160,967 58	9,178 94
By balance on hand December 31st, 1874.....	10,315 20	13,265 84
	<u>\$171,282 78</u>	<u>\$22,982 28</u>

EXHIBIT "O."—Continued.

GENERAL SCHOOL FUND.

Dr.

	Coin.
To balance on hand January 1st, 1874.....	\$20,961 59
To receipts from counties on June, 1874, settlement.....	4,414 53
To receipts from White Pine County, on deficiency settlement, 1870.....	218 17
To receipts from counties on December, 1874, settlement...	15,016 64
To receipts from interest on State School Fund bonds.....	9,975 00
	<u>\$50,585 93</u>
To balance on hand December 31st, 1874.....	\$19,820 89

STATE INTEREST AND SINKING FUND, 1871-2.

	Coin.
To balance on hand January 1st, 1874.....	\$66,309 61
To receipts from counties on June, 1874, settlement.....	2,069 44
To receipts from counties on December, 1874, settlement...	52,669 07
	<u>\$121,048 12</u>
To balance on hand December 31st, 1874.....	\$1,152 80

EXHIBIT "O."—Continued.

GENERAL SCHOOL FUND.

Cr.

	Coin.
By transfer to University Contingent Fund.....	\$735 50
By warrants paid and returned to State Controller.....	30,029 54
By balance on hand December 31st, 1874.....	19,820 89
	<hr/>
	\$50,585 93
	<hr/>

STATE INTEREST AND SINKING FUND, 1871-2.

	Coin.
By warrants paid and returned to State Controller.....	\$119,895 32
By balance on hand December 31st, 1874.....	1,152 80
	<hr/>
	\$121,048 12
	<hr/>

EXHIBIT "O."—Continued.

TERRITORIAL INTEREST AND SINKING FUND, 1872.
Dr.

	Coin.
To balance on hand January 1st, 1874.....	\$48,200 19
To receipts from counties on June, 1874, settlement.....	2,066 39
To receipts from counties on December, 1874, settlement...	52,650 18
	<u>\$102,916 76</u>
To balance on hand December 31st, 1874.....	\$66,284 77

STATE CAPITOL FUND.

	Coin.
To balance on hand January 1st, 1874.....	\$27,187 38
	<u>\$27,187 38</u>
To balance on hand December 31st, 1874.....	\$49 66

EXHIBIT "O."—Continued.

TERRITORIAL INTEREST AND SINKING FUND, 1872.
Cr.

	Coin.
By warrants paid and returned to State Controller.....	\$36,631 99
By balance on hand December 31st, 1874.....	66,284 77
	<u>\$102,916 76</u>

STATE CAPITOL FUND.

	Coin.
By transfer to State Building Fund.....	\$27,060 12
By warrants paid and returned to State Controller.....	77 60
By balance on hand December 31st, 1874.....	49 66
	<u>\$27,187 38</u>

EXHIBIT "O."—Continued.

STATE BUILDING FUND.

Dr.

	Coin.	Currency.
To transfer from State Capitol Fund.....	\$27,060 12	
To receipts from counties on June, 1874, settlement	9,514 16	
To receipts from conditional land sales.....		\$600 00
To receipts from counties on December, 1874, settlement.....	34,137 05	
	<u>\$70,711 33</u>	<u>\$600 00</u>
To balance on hand December 31st, 1874.....	\$34,172 35	\$250 00

STATE LIBRARY FUND.

	Coin.
To balance on hand January 1st, 1874.....	\$4,275 34
To receipts from fees of office of Secretary of State.....	2,103 61
To receipts from sale of attorneys' licenses.....	250 00
To receipts from B. C. Whitman (refunded).....	50 00
	<u>\$6,678 95</u>
To balance on hand December 31st, 1874.....	\$5,331 84

EXHIBIT "O."—Continued.

STATE BUILDING FUND.

Cr.

	Coin.	Currency.
By warrants paid and returned to Controller.	\$36,538 98	\$350 00
By balance on hand December 31st, 1874.....	34,172 35	250 00
	<u>\$70,711 33</u>	<u>\$600 00</u>

STATE LIBRARY FUND.

	Coin.
By warrants paid and returned to State Controller.....	\$1,347 11
By balance on hand December 31st, 1874.....	5,331 84
	<u>\$6,678 95</u>

EXHIBIT "O."—Continued.

STATE PRISON FUND.

Dr.

	Coin.
To balance on hand January 1st, 1874.....	\$670 00
To receipts from State Prison.....	21,701 60
To transfer from General Fund.....	43,975 23
	<hr/> \$66,346 83 <hr/>
To balance on hand December 31st, 1874.....	\$8,376 10

STATE ORPHAN HOME FUND.

	Coin.
To transfers from General Fund.....	\$10,234 31

STATE INDIGENT INSANE FUND.

	Coin.
To transfers from General Fund.....	\$21,731 00

EXHIBIT "O."—Continued.

STATE PRISON FUND.

Cr.

	Coin.
By warrants paid and returned to State Controller.....	\$57,970 73
By balance on hand December 31st, 1874.....	8,376 10
	<hr/>
	\$66,346 83
	<hr/>

STATE ORPHAN HOME FUND.

	Coin.
By warrants paid and returned to State Controller.....	\$10,234 31

STATE INDIGENT INSANE FUND.

	Coin.
By warrants paid and returned to State Controller.....	\$21,731 00

EXHIBIT "O."—Continued.

STATE UNIVERSITY FUND.

Dr.

	Coin.	Currency.
To balance on hand January 1st, 1874.....		\$14,241 52
To receipts from sale of State land.....		1,633 33
To receipts from sale of currency.....	\$10,662 00
	\$10,662 00	\$15,874 85
To balance on hand December 31st, 1874.....	\$51 31	\$3,211 79

STATE UNIVERSITY FUND, 90,000-ACRE GRANT.

	Coin.	Currency.
To balance on hand January 1st, 1874.....		\$7,641 74
To receipts from sale of State land.....		21,327 45
To receipts from sale of currency.....	\$16,023 19
	\$16,023 19	\$28,969 19
To balance on hand December 31st, 1874.....	\$16,023 19	\$11,029 81

EXHIBIT "O."—Continued.

STATE UNIVERSITY FUND.

Cr.

	Coin.	Currency.
By warrants paid and returned to Controller.....	\$10,610 69	\$991 95
By sale of currency		11,671 11
By balance on hand December 31st, 1874.....	51 31	3,211 79
	<u>\$10,662 00</u>	<u>\$15,874 85</u>

STATE UNIVERSITY FUND, 90,000-ACRE GRANT.

	Coin.	Currency.
By warrants paid and returned to Controller.....		\$262 23
By currency sold.....		17,677 15
By balance on hand December 31st, 1874.....	\$16,023 19	11,029 81
	<u>\$16,023 19</u>	<u>\$28,969 19</u>

EXHIBIT "O."—Continued.

JUDICIAL SALARY FUND.

Dr.	Coin.
To receipts from Supreme Court docket tax.....	\$280 00
To transfer from General Fund.....	20,720 00
	<u>\$21,000 00</u>
To balance on hand December 31st, 1874.....	<u>\$5,250 00</u>

UNIVERSITY CONTINGENT FUND.

	Coin.
To transfer from General School Fund.....	\$735 50

SOLDIERS' FUND.

	Coin.
To balance on hand January 1st, 1874.....	\$8 38

EXHIBIT "O."—Continued.

JUDICIAL SALARY FUND.

	Cr.
	Coin.
By warrants paid and returned to Controller.....	\$15,750 00
By balance on hand December 31st, 1874.....	5,250 00
	<u>\$21,000 00</u>

UNIVERSITY CONTINGENT FUND.

	Coin.
By warrants paid and and returned to Controller.....	\$735 50

SOLDIERS' FUND.

	Coin.

EXHIBIT "O."—Continued.

STATE LEGISLATIVE FUND, 1871.

Dr.

	Coin.
To balance on hand January 1st, 1874.....	\$5 00

SPECIAL LAND FUND.

	Currency.
To balance on hand December 31st, 1874.....	\$1,782 70

EXHIBIT "O."—Continued.

STATE LEGISLATIVE FUND, 1871.

Cr.	
	Coin.
.....

SPECIAL LAND FUND.

Currency.	
.....

[P] STATEMENT
Showing Assets and Liabilities December 31st, 1874.

	Coin.	Currency.	Grand totals.
<i>Assets.</i>			
State bonds issued April 1st, 1871, purchased and held as securities for the State School Fund	\$18,000 00
Accrued interest on the same.....	450 00
State bonds issued March 1st, 1872, redeemable in ten years, purchased and held as securities for the State School Fund.....	86,000 00
Accrued interest on the same	2,723 83
United States bonds purchased and held as securities for the State School Fund	146,000 00
Accrued interest on the same	4,380 00
United States bonds purchased and held as securities for the State Interest and Sinking Fund, 1871-2.....	100,000 00
Accrued interest on the same.....	3,000 00
United States bonds purchased and held as securities for the State University Fund	10,000 00
Accrued interest on the same.....	300 00
Cash on hand in the different State Funds.....	489,177 07	\$29,540 14
			\$889,570 54

Liabilities.

State bonds issued April 1st, 1871, redeemable in ten years.....	\$160,000 00
Accrued interest on the same.....	4,000 00
State bonds issued March 1st, 1872, redeemable in ten years.....	120,000 00
Accrued interest on the same.....	3,799 99
State bonds issued March 1st, 1872, redeemable in fifteen years.....	380,000 00
Accrued interest on the same.....	12,033 33
State warrants outstanding December 31st, 1874.....	71,247 94	\$1,280 11
			\$752,361 37

STATEMENT

[Q]

Showing the disposition made of the appropriation for extra clerical service in the office of State Treasurer.

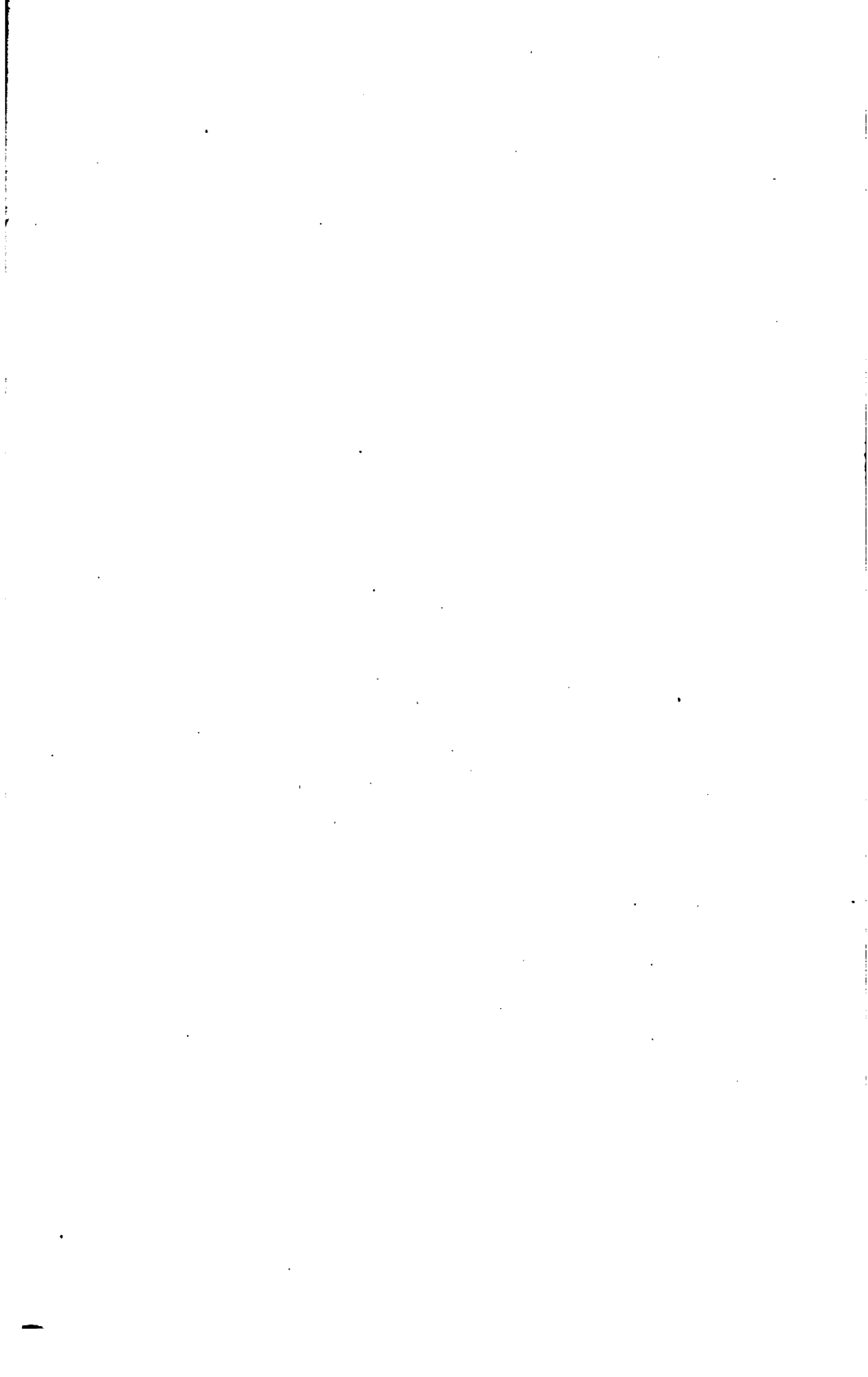
Date.	To whom paid.	For what paid.	Amount.
April 8th, 1873.....	Jerry Schooling.....	Cash paid for extra clerical service..	\$15 00
April 25th, 1873.....	James D. Torreyson.....	Extra clerical service one month.....	150 00
May 12th, 1873.....	James D. Torreyson.....	Extra clerical service one month.....	150 00
June 16th, 1873.....	James D. Torreyson.....	Extra clerical service one month.....	150 00
November 25th, 1873.....	James D. Torreyson.....	Extra clerical service one month.....	150 00
December 15th, 1873.....	James D. Torreyson.....	Extra clerical service half a month.....	75 00
February 2d, 1874.....	James D. Torreyson.....	Extra clerical service one month.....	150 00
March 2d, 1874.....	James D. Torreyson.....	Extra clerical service one month.....	150 00
May 4th, 1874.....	Jerry Schooling.....	Cash paid for extra clerical service..	40 00
September 2d, 1874.....	Jerry Schooling.....	Cash paid for extra clerical service..	8 00
December 8th, 1874.....	William McDade.....	Extra clerical service.....	124 00
December 31st, 1874.....	A. N. Fisher.....	Extra clerical service.....	100 00
December 31st, 1874.....	William McDade.....	Extra clerical service.....	108 00
Total.....	\$1,370 00

Jerry Schooling, being duly sworn, deposes and says that he is and has been Treasurer of the State of Nevada for the two years last past, and that the foregoing is a true and correct statement of the manner in which the above appropriation made for extra clerical service for the office of State Treasurer for the fiscal years eighteen hundred and seventy-three and eighteen hundred and seventy-four was expended. (Signed.) JERRY SCHOOLING.

Subscribed and sworn to before me, this eleventh day of January, eighteen hundred and seventy-five.

CHARLES MARTIN,
Notary Public.

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- "Act to provide for the publication of the decisions of the Supreme Court of the State of Nevada," approved March thirteenth, eighteen hundred and sixty-seven, and all Acts amendatory thereof, repealed, 74.
- "Act to authorize the County Commissioners of Storey County to issue bonds for school purposes in the Virginia and Gold Hill School Districts, and to provide for the payment of the same," approved March seventeenth, eighteen hundred and seventy-three, repealed, 99.
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- "An Act to provide revenue for the support of the government of the State of Nevada," approved March ninth, eighteen hundred and sixty-five, and the Acts amendatory thereof, approved March sixth, eighteen hundred and sixty-nine, repealed, 106.
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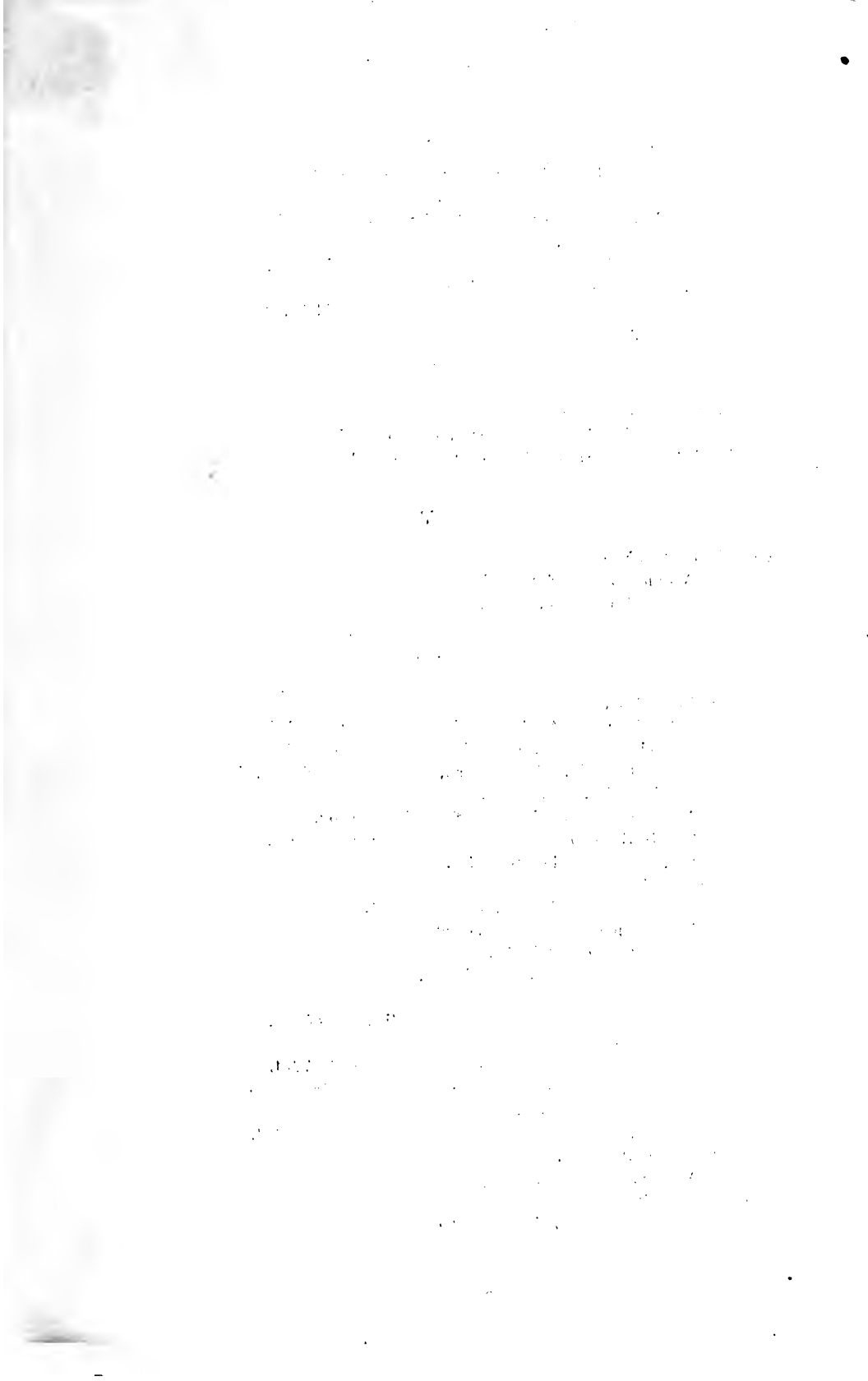
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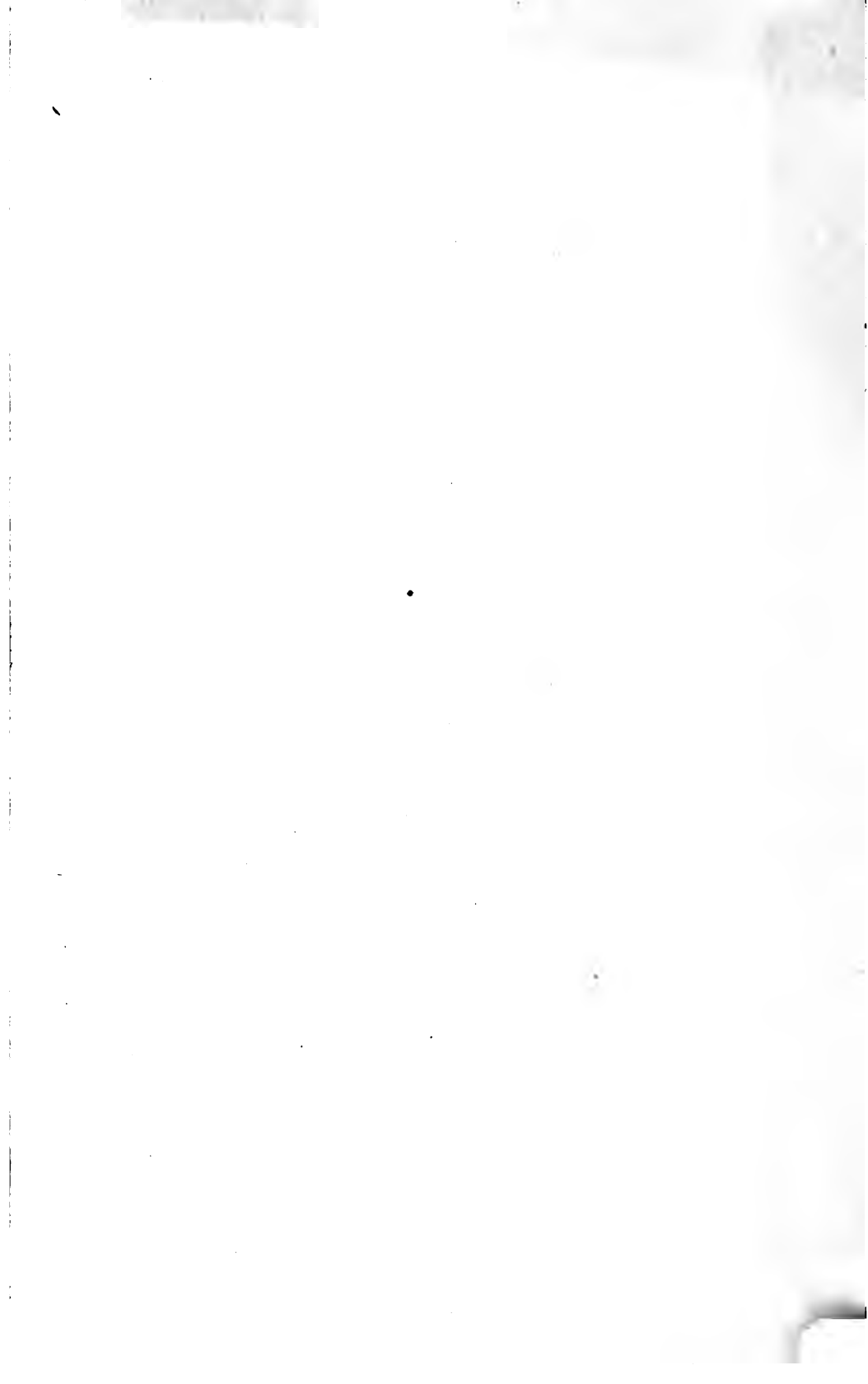
WOOD AND TIMBER—

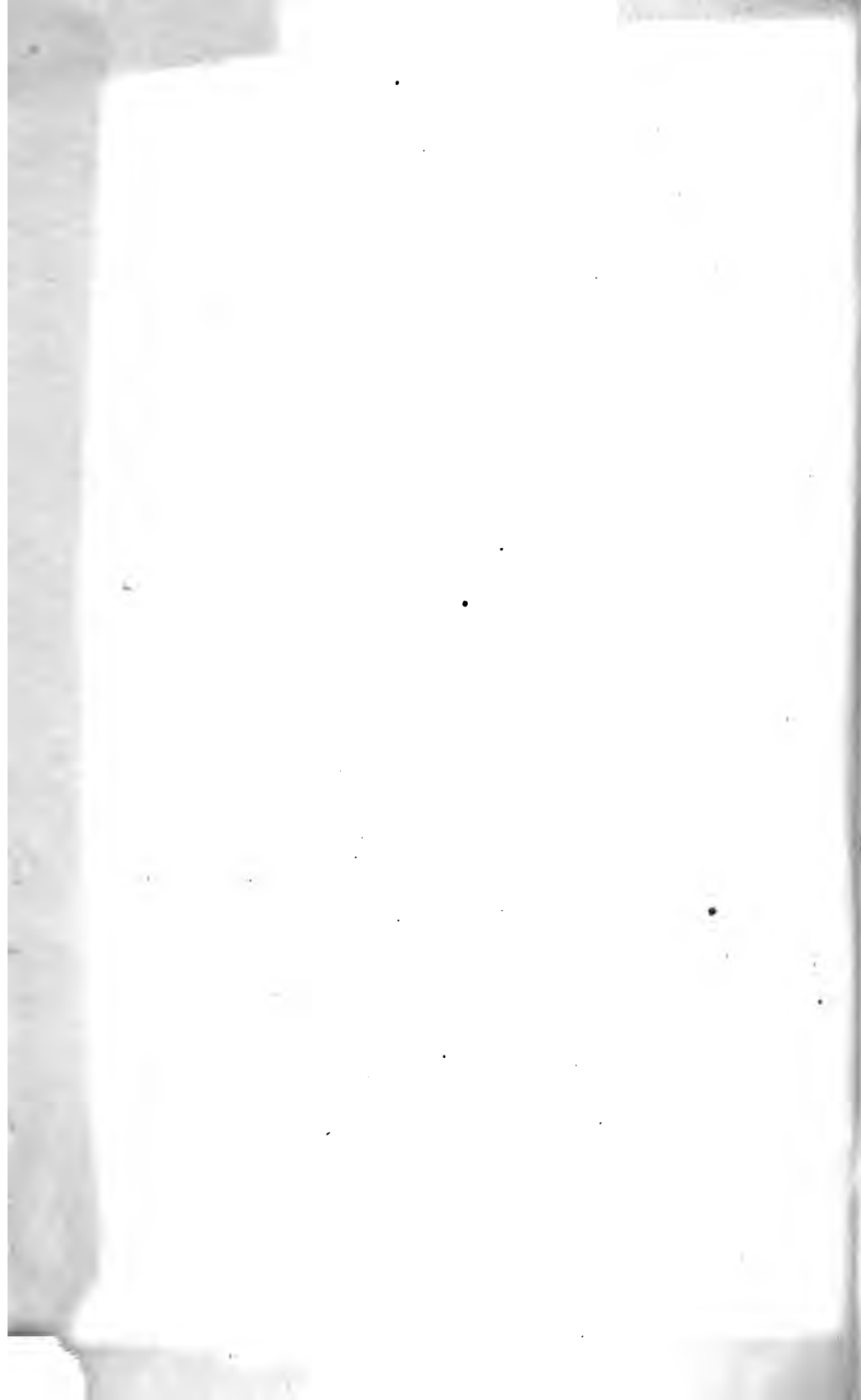
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